

103^D CONGRESS
1ST SESSION

H. R. 2518

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 1993

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Labor, Health and Human Services, and
6 Education, and related agencies for the fiscal year ending
7 September 30, 1994, and for other purposes, namely:

1 TITLE I—DEPARTMENT OF LABOR

2 EMPLOYMENT AND TRAINING ADMINISTRATION

3 PROGRAM ADMINISTRATION

4 For expenses of administering employment and train-
 5 ing programs and for carrying out section 908 of the So-
 6 cial Security Act, \$92,406,000, together with not to ex-
 7 ceed \$46,655,000, which may be expended from the Em-
 8 ployment Security Administration account in the Unem-
 9 ployment Trust Fund.

10 TRAINING AND EMPLOYMENT SERVICES

11 For expenses necessary to carry into effect the Job
 12 Training Partnership Act, as amended, including the pur-
 13 chase and hire of passenger motor vehicles, the construc-
 14 tion, alteration, and repair of buildings and other facili-
 15 ties, and the purchase of real property for training centers
 16 as authorized by the Job Training Partnership Act,
 17 ~~(1)\$4,943,181,000~~ *\$4,588,536,000* plus reimbursements,
 18 to be available for obligation for the period July 1, 1994,
 19 through June 30, 1995, of which ~~(2)\$61,871,000~~
 20 *\$65,000,000* shall be for carrying out section 401,
 21 ~~(3)\$78,303,000~~ *\$88,000,000* shall be for carrying out sec-
 22 tion 402, \$8,957,000 shall be for carrying out section 441,
 23 \$1,473,000 shall be for the National Commission for Em-
 24 ployment Policy, ~~(4)\$5,357,000~~ *\$5,800,000* shall be for
 25 all activities conducted by and through the National Occu-
 26 pational Information Coordinating Committee under the

1 Job Training Partnership Act, and ~~(5)\$3,831,000~~
 2 *\$3,861,000* shall be for service delivery areas under section
 3 101(a)(4)(A)(iii) of the Job Training Partnership Act in
 4 addition to amounts otherwise provided under sections
 5 202, 252 and 262 of the Act; and, in addition,
 6 \$126,556,000 is appropriated for necessary expenses of
 7 construction, rehabilitation, and acquisition of Job Corps
 8 centers, including \$20,000,000 for new centers, as author-
 9 ized by the Job Training Partnership Act, in addition to
 10 amounts otherwise provided herein for the Job Corps, to
 11 be available for obligation for the period July 1, 1994
 12 through June 30, 1997; and, in addition, ~~(6)\$178,000,000~~
 13 *is appropriated for carrying out part B of title II of the*
 14 *Job Training Partnership Act to be available for obligation*
 15 *for the period October 1, 1993 through June 30, 1994; and,*
 16 *in addition, \$50,000,000 is appropriated for carrying out*
 17 *part D of title IV of the Job Training Partnership Act to*
 18 *be available for obligation for the period October 1, 1993*
 19 *through June 30, 1995; and, in addition, \$744,000 is ap-*
 20 *propriated for the Glass Ceiling Commission authorized*
 21 *by title II of the Civil Rights Act of 1991; and, in addition,*
 22 ~~(7)\$744,000~~ *\$1,500,000* is appropriated for the National
 23 Center for the Workplace authorized by title XV, part A,
 24 of Public Law 102-325; and, in addition, \$12,537,000 is
 25 appropriated for activities authorized by title VII, subtitle

1 C of the Stewart B. McKinney Homeless Assistance Act
 2 ~~(8)~~ and, in addition, \$750,000 is appropriated for the
 3 Women in Apprenticeship and Nontraditional Occupations
 4 Act (Public Law 102-530): Provided, That no funds from
 5 any other appropriation shall be used to provide meal serv-
 6 ices at or for Job Corps centers ~~(9):~~ ~~Provided further,~~
 7 That \$300,000,000 for carrying out part B of title H of
 8 the Job Training Partnership Act shall be available for
 9 obligation for the period October 1, 1993 through June
 10 30, 1994: ~~Provided further,~~ That appropriations in this
 11 paragraph are available to carry out the Women in Ap-
 12 prenticeship and Nontraditional Occupations Act (Public
 13 Law 102-530) for the period beginning October 1, 1993.

14 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

15 AMERICANS

16 To carry out the activities for national grants or con-
 17 tracts with public agencies and public or private nonprofit
 18 organizations under paragraph (1)(A) of section 506(a)
 19 of title V of the Older Americans Act of 1965, as amended,
 20 \$320,190,000.

21 To carry out the activities for grants to States under
 22 paragraph (3) of section 506(a) of title V of the Older
 23 Americans Act of 1965, as amended, \$90,310,000.

24 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

25 For payments during the current fiscal year of bene-
 26 fits and payments as authorized by title II of Public Law

1 95–250, as amended, and of trade adjustment benefit pay-
2 ments and allowances under part I, and for training, for
3 allowances for job search and relocation, and for related
4 State administrative expenses under part II, subchapter
5 B, chapter 2, title II of the Trade Act of 1974, as amend-
6 ed, \$190,000,000 together with such amounts as may be
7 necessary to be charged to the subsequent appropriation
8 for payments for any period subsequent to September 15
9 of the current year: *Provided*, That amounts received or
10 recovered pursuant to section 208(e) of Public Law 95–
11 250 shall be available for payments.

12 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
13 SERVICE OPERATIONS

14 For activities authorized by the Act of June 6, 1933,
15 as amended (29 U.S.C. 49–49l–1; 39 U.S.C.
16 3202(a)(1)(E)); title III of the Social Security Act, as
17 amended (42 U.S.C. 502–504); necessary administrative
18 expenses for carrying out 5 U.S.C. 8501–8523, and sec-
19 tions 225, 231–235 and 243–244, title II of the Trade
20 Act of 1974, as amended; as authorized by section 7c of
21 the Act of June 6, 1933, as amended, necessary adminis-
22 trative expenses under sections 101(a)(15)(H),
23 212(a)(5)(A), (m) (2) and (3), (n)(1), and 218(g) (1), (2),
24 and (3), and 258(c) of the Immigration and Nationality
25 Act, as amended (8 U.S.C. 1101 et seq.); necessary ad-

1 ministrative expenses to carry out the Targeted Jobs Tax
 2 Credit Program under section 51 of the Internal Revenue
 3 Code of 1986, and section 221(a) of the Immigration Act
 4 of 1990, ~~(10)\$69,542,000~~ *\$77,042,000* together with not
 5 to exceed ~~(11)\$3,327,707,000~~ *\$3,338,389,000* (including
 6 not to exceed \$2,098,000 which may be used for amortiza-
 7 tion payments to States which had independent retirement
 8 plans in their State employment service agencies prior to
 9 1980, and including not to exceed \$1,000,000 which may
 10 be obligated in contracts with non-State entities for activi-
 11 ties such as occupational and test research activities which
 12 benefit the Federal-State Employment Service System),
 13 which may be expended from the Employment Security
 14 Administration account in the Unemployment Trust
 15 Fund, and of which the sums available in the allocation
 16 for activities authorized by title III of the Social Security
 17 Act, as amended (42 U.S.C. 502–504), and the sums
 18 available in the allocation for necessary administrative ex-
 19 penses for carrying out 5 U.S.C. 8501–8523, shall be
 20 available for obligation by the States through December
 21 31, 1994, except that funds used for automation acquisi-
 22 tions shall be available for obligation by States through
 23 September 30, 1996; and of which ~~(12)\$67,486,000~~
 24 *\$74,986,000* together with not to exceed \$807,870,000 of
 25 the amount which may be expended from said trust fund

1 shall be available for obligation for the period July 1,
2 1994, through June 30, 1995, to fund activities under the
3 Act of June 6, 1933, as amended, including the cost of
4 penalty mail made available to States in lieu of allotments
5 for such purpose, and of which \$347,272,000 shall be
6 available only to the extent necessary for additional State
7 allocations to administer unemployment compensation
8 laws to finance increases in the number of unemployment
9 insurance claims filed and claims paid or changes in a
10 State law: *Provided*, That to the extent that the Average
11 Weekly Insured Unemployment (AWIU) for fiscal year
12 1994 is projected by the Department of Labor to exceed
13 ~~(13)~~~~3.28~~ 3.427 million, an additional \$27,000,000 shall
14 be available for obligation for every 100,000 increase in
15 the AWIU level (including a pro rata amount for any in-
16 crement less than 100,000) from the Employment Secu-
17 rity Administration Account of the Unemployment Trust
18 Fund.

19 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
20 OTHER FUNDS

21 For repayable advances to the Unemployment Trust
22 Fund as authorized by sections 905(d) and 1203 of the
23 Social Security Act, as amended, and to the Black Lung
24 Disability Trust Fund as authorized by section 9501(c)(1)
25 of the Internal Revenue Code of 1954, as amended; and

1 for nonrepayable advances to the Unemployment Trust
 2 Fund as authorized by section 8509 of title 5, United
 3 States Code, and section 104(d) of Public Law 102-164,
 4 and section 5 of Public Law 103-6, and to the “Federal
 5 unemployment benefits and allowances” account, to re-
 6 main available until September 30, 1995, \$2,556,000,000.

7 In addition, for making repayable advances to the
 8 Black Lung Disability Trust Fund in the current fiscal
 9 year after September 15, 1994, for costs incurred by the
 10 Black Lung Disability Trust Fund in the current fiscal
 11 year, such sums as may be necessary.

12 LABOR-MANAGEMENT STANDARDS

13 SALARIES AND EXPENSES

14 For necessary expenses for Labor-Management
 15 Standards, \$27,309,000.

16 PENSION AND WELFARE BENEFITS ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses for Pension and Welfare Ben-
 19 efits Administration, ~~(14)\$64,408,000~~ *\$64,058,000*.

20 PENSION BENEFIT GUARANTY CORPORATION

21 PENSION BENEFIT GUARANTY CORPORATION FUND

22 The Pension Benefit Guaranty Corporation is author-
 23 ized to make such expenditures, including financial assist-
 24 ance authorized by section 104 of Public Law 96-364,
 25 within limits of funds and borrowing authority available

1 to such Corporation, and in accord with law, and to make
2 such contracts and commitments without regard to fiscal
3 year limitations as provided by section 104 of the Govern-
4 ment Corporation Control Act, as amended (31 U.S.C.
5 9104), as may be necessary in carrying out the program
6 through September 30, 1994, for such Corporation: *Pro-*
7 *vided*, That not to exceed \$34,194,000 shall be available
8 for administrative expenses of the Corporation: *Provided*
9 *further*, That expenses of such Corporation in connection
10 with the termination of pension plans, for the acquisition,
11 protection or management, and investment of trust assets,
12 and for benefits administration services shall be consid-
13 ered as non-administrative expenses for the purposes here-
14 of, and excluded from the above limitation.

15 EMPLOYMENT STANDARDS ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Employment Stand-
18 ards Administration, including reimbursement to State,
19 Federal, and local agencies and their employees for inspec-
20 tion services rendered, \$237,176,000 together with
21 \$989,000 which may be expended from the Special Fund
22 in accordance with sections 39(c) and 44(j) of the
23 Longshore and Harbor Workers' Compensation Act(15):
24 *Provided, That, notwithstanding 31 U.S.C. 3302, or any*
25 *provision of Public Law 102-170, Public Law 102-394,*

1 *this Act, or any subsequent Appropriations Act, the Sec-*
2 *retary of Labor is authorized to accept, retain and spend*
3 *in the name of the Department of Labor all sums of money*
4 *ordered to be paid to the Secretary of Labor, in accordance*
5 *with the terms of the Consent Judgment in Civil Action*
6 *No. 91-0027 of the United States District Court for the Dis-*
7 *trict of the Northern Mariana Islands (May 21, 1992)*

8 *SEC. 100. CONGRESSIONAL COVERAGE UNDER*
9 *HEALTH CARE LEGISLATION.—*

10 *(a) FINDINGS.—Congress finds:*

11 *(1) Congress is expected to consider health care*
12 *reform legislation in the near future that would offer*
13 *a standard benefit package with several different op-*
14 *tions for the delivery of those benefits.*

15 *(2) The standard benefits offered under all plans*
16 *will be the same. Quality standards will apply to all*
17 *plans.*

18 *(3) Consumers will have the ability to choose a*
19 *plan on an annual basis, and will have access to full*
20 *information about all plans so that they may make*
21 *their choice based on the quality of plans and*
22 *consumer satisfaction of plans.*

23 *(4) Members of Congress should be treated the*
24 *same and afforded the same choices as every Amer-*
25 *ican in the health care system.*

1 (b) *SENSE OF THE CONGRESS.—It is the sense of the*
2 *Congress that any legislation approved by Congress should*
3 *provide health care plans of comparable high quality and*
4 *that Members of Congress participate on an equal basis*
5 *with all other Americans in the health care system that re-*
6 *sults from health care reform legislation.*

7 SPECIAL BENEFITS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the payment of compensation, benefits, and ex-
10 penses (except administrative expenses) accruing during
11 the current or any prior fiscal year authorized by title 5,
12 chapter 81 of the United States Code; continuation of ben-
13 efits as provided for under the head “Civilian War Bene-
14 fits” in the Federal Security Agency Appropriation Act,
15 1947; the Employees’ Compensation Commission Appro-
16 priation Act, 1944; and sections 4(c) and 5(f) of the War
17 Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per
18 centum of the additional compensation and benefits re-
19 quired by section 10(h) of the Longshore and Harbor
20 Workers’ Compensation Act, as amended, \$279,000,000
21 together with such amounts as may be necessary to be
22 charged to the subsequent year appropriation for the pay-
23 ment of compensation and other benefits for any period
24 subsequent to August 15 of the current year: *Provided,*
25 *That such sums as are necessary may be used for a dem-*
26 *onstrations project under section 8104 of title 5, United*

1 States Code, in which the Secretary may reimburse an em-
 2 ployer, who is not the employer at the time of injury, for
 3 portions of the salary of a reemployed, disabled bene-
 4 ficiary: *Provided further*, That balances of reimbursements
 5 from Federal Government agencies unobligated on Sep-
 6 tember 30, 1993, shall remain available until expended for
 7 the payment of compensation, benefits, and expenses: *Pro-*
 8 *vided further*, That in addition there shall be transferred
 9 from the Postal Service fund to this appropriation such
 10 sums as the Secretary of Labor determines to be the cost
 11 of administration for Postal Service employees through
 12 September 30, 1994: *Provided further*, That the Secretary
 13 may require that any person filing a notice of injury or
 14 a claim for benefits under Subchapter 5, U.S.C., Chapter
 15 81, or under Subchapter 33, U.S.C. 901, et seq. (the
 16 Longshore and Harbor Workers' Compensation Act, as
 17 amended), provide as part of such notice and claim, such
 18 identifying information (including Social Security account
 19 number) as such regulations may prescribe.

20 BLACK LUNG DISABILITY TRUST FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For payments from the Black Lung Disability Trust
 23 Fund, ~~(16) \$1,001,575,000~~ \$1,002,175,000, of which
 24 \$947,967,000, shall be available until September 30,
 25 1995, for payment of all benefits as authorized by section
 26 9501(d) (1), (2), (4), and (7), of the Internal Revenue

1 Code of 1954, as amended, and interest on advances as
 2 authorized by section 9501(c)(2) of that Act, and of which
 3 ~~(17)\$28,929,000~~ \$29,529,000 shall be available for trans-
 4 fer to Employment Standards Administration, Salaries
 5 and Expenses, and \$24,384,000 for transfer to Depart-
 6 mental Management, Salaries and Expenses, and
 7 \$295,000 for transfer to Departmental Management, Of-
 8 fice of Inspector General, for expenses of operation and
 9 administration of the Black Lung Benefits program as au-
 10 thorized by section 9501(d)(5)(A) of that Act: *Provided*,
 11 That in addition, such amounts as may be necessary may
 12 be charged to the subsequent year appropriation for the
 13 payment of compensation, interest, or other benefits for
 14 any period subsequent to June 15 of the current year: *Pro-*
 15 *vided further*, That in addition such amounts shall be paid
 16 from this fund into miscellaneous receipts as the Secretary
 17 of the Treasury determines to be the administrative ex-
 18 penses of the Department of the Treasury for administer-
 19 ing the fund during the current fiscal year, as authorized
 20 by section 9501(d)(5)(B) of that Act.

21 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses for the Occupational Safety
 24 and Health Administration, ~~(18)\$294,640,000~~
 25 \$297,244,000, including not to exceed \$68,630,000, which

1 shall be the maximum amount available for grants to
2 States under section 23(g) of the Occupational Safety and
3 Health Act, which grants shall be no less than fifty per-
4 cent of the costs of State occupational safety and health
5 programs required to be incurred under plans approved
6 by the Secretary under section 18 of the Occupational
7 Safety and Health Act of 1970: *Provided*, That none of
8 the funds appropriated under this paragraph shall be obli-
9 gated or expended to prescribe, issue, administer, or en-
10 force any standard, rule, regulation, or order under the
11 Occupational Safety and Health Act of 1970 which is ap-
12 plicable to any person who is engaged in a farming oper-
13 ation which does not maintain a temporary labor camp
14 and employs ten or fewer employees: *Provided further*,
15 That no funds appropriated under this paragraph shall be
16 obligated or expended to administer or enforce any stand-
17 ard, rule, regulation, or order under the Occupational
18 Safety and Health Act of 1970 with respect to any em-
19 ployer of ten or fewer employees who is included within
20 a category having an occupational injury lost workday case
21 rate, at the most precise Standard Industrial Classifica-
22 tion Code for which such data are published, less than the
23 national average rate as such rates are most recently pub-
24 lished by the Secretary, acting through the Bureau of

1 Labor Statistics, in accordance with section 24 of that Act
2 (29 U.S.C. 673), except—

3 (1) to provide, as authorized by such Act, con-
4 sultation, technical assistance, educational and train-
5 ing services, and to conduct surveys and studies;

6 (2) to conduct an inspection or investigation in
7 response to an employee complaint, to issue a cita-
8 tion for violations found during such inspection, and
9 to assess a penalty for violations which are not cor-
10 rected within a reasonable abatement period and for
11 any willful violations found;

12 (3) to take any action authorized by such Act
13 with respect to imminent dangers;

14 (4) to take any action authorized by such Act
15 with respect to health hazards;

16 (5) to take any action authorized by such Act
17 with respect to a report of an employment accident
18 which is fatal to one or more employees or which re-
19 sults in hospitalization of two or more employees,
20 and to take any action pursuant to such investiga-
21 tion authorized by such Act; and

22 (6) to take any action authorized by such Act
23 with respect to complaints of discrimination against
24 employees for exercising rights under such Act:

1 *Provided further*, That the foregoing proviso shall not
2 apply to any person who is engaged in a farming operation
3 which does not maintain a temporary labor camp and em-
4 ploys ten or fewer employees.

5 MINE SAFETY AND HEALTH ADMINISTRATION

6 SALARIES AND EXPENSES

7 For necessary expenses for the Mine Safety and
8 Health Administration, ~~(19)\$193,858,000~~ \$195,002,000,
9 of which \$5,740,000 shall be for the State Grants Pro-
10 gram, including purchase and bestowal of certificates and
11 trophies in connection with mine rescue and first-aid work,
12 and the hire of passenger motor vehicles; the Secretary
13 is authorized to accept lands, buildings, equipment, and
14 other contributions from public and private sources and
15 to prosecute projects in cooperation with other agencies,
16 Federal, State, or private; the Mine Safety and Health Ad-
17 ministration is authorized to promote health and safety
18 education and training in the mining community through
19 cooperative programs with States, industry, and safety as-
20 sociations; and any funds available to the Department may
21 be used, with the approval of the Secretary, to provide
22 for the costs of mine rescue and survival operations in the
23 event of a major disaster: *Provided*, That none of the
24 funds appropriated under this paragraph shall be obli-
25 gated or expended to carry out section 115 of the Federal

1 Mine Safety and Health Act of 1977 or to carry out that
 2 portion of section 104(g)(1) of such Act relating to the
 3 enforcement of any training requirements, with respect to
 4 shell dredging, or with respect to any sand, gravel, surface
 5 stone, surface clay, colloidal phosphate, or surface lime-
 6 stone mine.

7 BUREAU OF LABOR STATISTICS

8 SALARIES AND EXPENSES

9 For necessary expenses for the Bureau of Labor Sta-
 10 tistics, including advances or reimbursements to State,
 11 Federal, and local agencies and their employees for serv-
 12 ices rendered, ~~(20)\$281,768,000~~ \$282,018,000, together
 13 with not to exceed ~~(21)\$51,927,000~~ \$51,227,000, which
 14 may be expended from the Employment Security Adminis-
 15 tration account in the Unemployment Trust Fund.

16 DEPARTMENTAL MANAGEMENT

17 SALARIES AND EXPENSES

18 For necessary expenses for Departmental Manage-
 19 ment, including the hire of five sedans, and including up
 20 to \$4,320,000 for the President's Committee on Employ-
 21 ment of People With Disabilities, ~~(22)\$142,242,000~~
 22 \$143,127,000, together with not to exceed \$332,000, which
 23 may be expended from the Employment Security Adminis-
 24 tration account in the Unemployment Trust Fund.

1 WORKING CAPITAL FUND

2 ~~(23) Hereafter, funds received for services rendered~~
3 ~~to any entity or person for use of Departmental facilities,~~
4 ~~including associated utilities and security services, shall be~~
5 ~~credited to and merged with this fund.~~

6 *For expenses necessary for the maintenance and oper-*
7 *ation of a comprehensive program of centralized services*
8 *which the Secretary of Labor may prescribe and deem ap-*
9 *propriate and advantageous to provide on a reimbursable*
10 *basis under the provisions of the Economy Act (subject to*
11 *prior notice to OMB) in the national office and field: Pro-*
12 *vided, That such fund shall be reimbursed in advance from*
13 *funds available to agencies, bureaus, and offices for which*
14 *such centralized services are performed at rates which will*
15 *return in full cost of operations including services obtained*
16 *through cooperative administrative services units under the*
17 *Economy Act, including reserves for accrued annual leave,*
18 *worker's compensation, depreciation of capitalized equip-*
19 *ment, and amortization of ADP software and systems (ei-*
20 *ther acquired or donated): Provided further, That funds re-*
21 *ceived for services rendered to any entity or person for use*
22 *of Departmental facilities, including associated utilities*
23 *and security services, shall be credited to and merged with*
24 *this fund.*

1 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT
2 AND TRAINING

3 Not to exceed \$186,648,000 may be derived from the
4 Employment Security Administration account in the Un-
5 employment Trust Fund to carry out the provisions of 38
6 U.S.C. 2001–10 and 2021–26.

7 OFFICE OF INSPECTOR GENERAL

8 For salaries and expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, as amended, \$47,215,000, together
11 with not to exceed \$3,990,000, which may be expended
12 from the Employment Security Administration account in
13 the Unemployment Trust Fund.

14 GENERAL PROVISION

15 SEC. 101. The Secretary of Labor is authorized to
16 accept, in the name of the Department of Labor, and em-
17 ploy or dispose of in furtherance of authorized activities
18 of the Department of Labor, any money or property, real,
19 personal, or mixed, tangible or intangible, received by gift,
20 devise, bequest, or otherwise.

21 **(24)** *SEC. 102. Section 8102 of title 5, United States*
22 *Code (“the Act”) is amended to redesignate subsection (b)*
23 *of subsection (c) and to add the following new subsection*
24 *(b):*

13 This title may be cited as the “Department of Labor
14 Appropriations Act, 1994”.

17 HEALTH RESOURCES AND SERVICES ADMINISTRATION

19 For carrying out titles II, III, VII, VIII, X, XII, XIX,

20 (26)and XXVI XXVI, and XXVII of the Public Health
21 Service Act, section 427(a) of the Federal Coal Mine
22 Health and Safety Act, title V of the Social Security Act,
23 the Health Care Quality Improvement Act of 1986, as
24 amended, Public Law 101–527, and the Native Hawaiian
25 Health Care Act of 1988, as amended.

1 ~~(27)\$2,833,588,000~~ \$2,954,341,000, of which \$415,000
 2 shall remain available until expended for interest subsidies
 3 on loan guarantees made prior to fiscal year 1981 under
 4 part B of title VII of the Public Health Service Act: *Pro-*
 5 *vided*, That when the Department of Health and Human
 6 Services administers or operates an employee health pro-
 7 gram for any Federal department or agency, payment for
 8 the full estimated cost shall be made by way of reimburse-
 9 ment or in advance to this appropriation: *Provided further*,
 10 That of the funds made available under this heading,
 11 \$942,000 shall be available until expended for facilities
 12 renovations at the Gillis W. Long Hansen's Disease Cen-
 13 ter~~(28)~~: *Provided further*, *That no more than \$5,000,000*
 14 *is available for carrying out the provisions of Public Law*
 15 *102-501: Provided further*, That in addition to fees author-
 16 ized by section 427(b) of the Health Care Quality Im-
 17 provement Act of 1986, fees shall be collected for the full
 18 disclosure of information under the Act sufficient to re-
 19 cover the full costs of operating the National Practitioner
 20 Data Bank, and shall remain available until expended to
 21 carry out that Act.

22 MEDICAL FACILITIES GUARANTEE AND LOAN FUND

23 FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

24 For carrying out subsections (d) and (e) of section
 25 1602 of the Public Health Service Act, \$9,000,000, to-

1 gether with any amounts received by the Secretary in con-
2 nection with loans and loan guarantees under title VI of
3 the Public Health Service Act, to be available without fis-
4 cal year limitation for the payment of interest subsidies.
5 During the fiscal year, no commitments for direct loans
6 or loan guarantees shall be made.

7 HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

8 For the cost of guaranteed loans, such sums as may
9 be necessary to carry out the purpose of the program, as
10 authorized by title VII of the Public Health Service Act,
11 as amended: *Provided*, That such costs, including the cost
12 of modifying such loans, shall be as defined in section 502
13 of the Congressional Budget Act of 1974: *Provided fur-*
14 *ther*, That these funds are available to subsidize gross obli-
15 gations for the total loan principal any part of which is
16 to be guaranteed at not to exceed \$375,000,000. In addi-
17 tion, for administrative expenses to carry out the guaran-
18 teed loan program, \$2,946,000.

19 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

20 For payments from the Vaccine Injury Compensation
21 Program Trust Fund, such sums as may be necessary for
22 claims associated with vaccine-related injury or death with
23 respect to vaccines administered after September 30,
24 1988, pursuant to subtitle 2 of title XXI of the Public
25 Health Service Act, to remain available until expended:
26 *Provided*, That for necessary administrative expenses, not

1 to exceed ~~(29)\$2,500,000~~ \$3,000,000 shall be available
 2 from the Trust Fund to the Secretary of Health and
 3 Human Services.

4 VACCINE INJURY COMPENSATION

5 For payment of claims resolved by the United States
 6 Court of Federal Claims related to the administration of
 7 vaccines before October 1, 1988, ~~(30)\$80,000,000~~
 8 \$110,000,000, to remain available until expended.

9 CENTERS FOR DISEASE CONTROL AND PREVENTION

10 DISEASE CONTROL, RESEARCH, AND TRAINING

11 To carry out titles II, III, VII, XI, XV, XVII,
 12 ~~(31)and XIX~~ XIX, and XXVII of the Public Health Serv-
 13 ice Act, sections 101, 102, 103, 201, 202, and 203 of the
 14 Federal Mine Safety and Health Act of 1977, and sections
 15 20, 21, and 22 of the Occupational Safety and Health Act
 16 of 1970; including insurance of official motor vehicles in
 17 foreign countries; and hire, maintenance, and operation of
 18 aircraft, ~~(32)\$1,910,182,000~~ \$2,088,781,000, of which
 19 \$16,648,000 shall remain available until expended for
 20 equipment and construction and renovation of facilities,
 21 and in addition, such sums as may be derived from author-
 22 ized user fees, which shall be credited to this account: *Pro-*
 23 *vided*, That training of private persons shall be made sub-
 24 ject to reimbursement or advances to this appropriation
 25 for not in excess of the full cost of such training: *Provided*
 26 *further*, That funds appropriated under this heading shall

1 be available for payment of the costs of medical care, relat-
2 ed expenses, and burial expenses hereafter incurred by or
3 on behalf of any person who had participated in the study
4 of untreated syphilis initiated in Tuskegee, Alabama, in
5 1932, in such amounts and subject to such terms and con-
6 ditions as prescribed by the Secretary of Health and
7 Human Services and for payment, in such amounts and
8 subject to such terms and conditions, of such costs and
9 expenses hereafter incurred by or on behalf of such per-
10 son's wife or offspring determined by the Secretary to
11 have suffered injury or disease from syphilis contracted
12 from such person: *Provided further*, That amounts re-
13 ceived by the National Center for Health Statistics from
14 reimbursements and interagency agreements and the sale
15 of data tapes may be credited to this appropriation and
16 shall remain available until expended: *Provided further*,
17 That in addition to amounts provided herein, up to
18 \$28,873,000 shall be available from amounts available
19 under section 241 of the Public Health Service Act, to
20 carry out the National Center for Health Statistics
21 surveys.

1 NATIONAL INSTITUTES OF HEALTH

2 NATIONAL CANCER INSTITUTE

3 For carrying out section 301 and title IV of the Pub-
4 lic Health Service Act with respect to cancer,
5 \$2,082,267,000.

6 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

7 For carrying out sections 301 and 1105 and title IV
8 of the Public Health Service Act with respect to cardio-
9 vascular, lung, and blood diseases, and blood and blood
10 products, \$1,277,880,000.

11 NATIONAL INSTITUTE OF DENTAL RESEARCH

12 For carrying out section 301 and title IV of the Pub-
13 lic Health Service Act with respect to dental disease,
14 \$169,520,000.

15 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
16 KIDNEY DISEASES

17 For carrying out section 301 and title IV of the Pub-
18 lic Health Service Act with respect to diabetes and diges-
19 tive and kidney diseases, \$716,054,000.

20 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
21 AND STROKE

22 For carrying out section 301 and title IV of the Pub-
23 lic Health Service Act with respect to neurological dis-
24 orders and stroke, \$630,650,000.

6 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

10 NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN
11 DEVELOPMENT

15 NATIONAL EYE INSTITUTE

19 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
20 SCIENCES

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1 NATIONAL INSTITUTE ON AGING

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to aging,
4 \$420,303,000.

5 NATIONAL INSTITUTE OF ARTHRITIS AND
6 MUSCULOSKELETAL AND SKIN DISEASES

7 For carrying out section 301 and title IV of the Pub-
8 lic Health Service Act with respect to arthritis, and mus-
9 culoskeletal and skin diseases, \$223,280,000.

10 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
11 COMMUNICATION DISORDERS

12 For carrying out section 301 and title IV of the Pub-
13 lic Health Service Act with respect to deafness and other
14 communication disorders, \$162,823,000.

15 NATIONAL INSTITUTE OF NURSING RESEARCH

16 For carrying out section 301 and title IV of the Pub-
17 lic Health Service Act with respect to nursing research,
18 \$51,018,000.

19 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
20 ALCOHOLISM

21 For carrying out section 301 and title IV of the Pub-
22 lic Health Service Act with respect to alcohol abuse, and
23 alcoholism, \$185,617,000.

1 NATIONAL INSTITUTE ON DRUG ABUSE

2 For carrying out section 301 and title IV of the Pub-
3 lic Health Service Act with respect to drug abuse,
4 \$425,201,000.

5 NATIONAL INSTITUTE OF MENTAL HEALTH

6 For carrying out section 301 and title IV of the Pub-
7 lic Health Service Act with respect to mental health,
8 \$613,444,000.

9 NATIONAL CENTER FOR RESEARCH RESOURCES

10 For carrying out section 301 and title IV of the Pub-
11 lic Health Service Act with respect to research resources
12 and general research support grants, ~~(33)\$328,915,000~~
13 *\$332,915,000: Provided, That none of these funds shall be*
14 *used to pay recipients of the general research support*
15 *grants program any amount for indirect expenses in con-*
16 *nection with such grants*~~(34)~~*: Provided further, That*
17 *\$8,000,000 shall be for extramural facilities construction*
18 *grants to be awarded on a competitive basis and in accord-*
19 *ance with the criteria of section 481A(c)(2) of subpart 1*
20 *of part E of title IV.*

21 NATIONAL CENTER FOR HUMAN GENOME RESEARCH

22 For carrying out section 301 and title IV of the Pub-
23 lic Health Service Act with respect to human genome re-
24 search, ~~(35)\$119,030,000~~ *\$131,925,000.*

1 JOHN E. FOGARTY INTERNATIONAL CENTER

2 For carrying out the activities at the John E.
3 Fogarty International Center, ~~(36)\$22,240,000~~
4 *\$19,988,000.*

5 NATIONAL LIBRARY OF MEDICINE

6 For carrying out section 301 and title IV of the Pub-
7 lic Health Service Act with respect to health information
8 communications, ~~(37)\$118,481,000~~ *\$120,481,000.*

9 OFFICE OF THE DIRECTOR

10 (INCLUDING TRANSFER OF FUNDS)

11 For carrying out the responsibilities of the Office of
12 the Director, National Institutes of Health,
13 ~~(38)\$224,746,000~~ *\$241,225,000: Provided, That funding*
14 *shall be available for the purchase of not to exceed five*
15 *passenger motor vehicles for replacement only(39): Pro-*
16 *vided further, That of the funds made available under this*
17 *heading, \$15,000,000 shall be made available for the Direc-*
18 *tor's Discretionary Fund, of which \$12,000,000 shall be al-*
19 *located to the relevant Institutes, Centers and Divisions to*
20 *support the activities of the Decade of the Brain Program:*
21 *Provided further, That the Director may direct up to 1*
22 *percent of the total amount made available in this Act to*
23 *all National Institutes of Health appropriations to emer-*
24 *gency activities the Director may so designate: Provided*
25 *further, That no such appropriation shall be increased or*

1 decreased by more than 1 percent by any such transfers
 2 and that the Congress is promptly notified of the transfer.

3 BUILDINGS AND FACILITIES

4 For construction of, and acquisition of equipment
 5 for, facilities of or used by the National Institutes of
 6 Health, including the acquisition of real property,
 7 ~~(40)\$114,385,000~~ \$101,000,000, to remain available until
 8 expended.

9 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

10 ADMINISTRATION

11 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

12 For carrying out the Public Health Service Act with
 13 respect to substance abuse and mental health services, sec-
 14 tion 612 of Public Law 100-77, as amended, and the Pro-
 15 tection and Advocacy for Mentally Ill Individuals Act of
 16 1986, ~~(41)\$2,057,167,000~~ \$2,119,205,000, of which
 17 \$952,000, together with unobligated balances for facilities
 18 renovation, shall be available for maintenance and repair
 19 of Federally-owned facilities at Saint Elizabeths Hospital
 20 and shall remain available until expended: *Provided*, That
 21 no portion of amounts appropriated for the programs of
 22 the Department of Health and Human Services shall be
 23 available for obligation pursuant to section 571 of the
 24 Public Health Service Act, other than an amount of
 25 ~~(42)\$4,000,000~~ \$3,000,000 from amounts appropriated to
 26 carry out section 510 of that Act.

1 ASSISTANT SECRETARY FOR HEALTH

2 OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH

3 For the expenses necessary for the Office of the As-
 4 sistant Secretary for Health and for carrying out titles
 5 III, XVII, XX, and XXI of the Public Health Service Act,
 6 ~~(43)\$68,758,000~~ *\$71,167,000*, and, in addition, amounts
 7 received by the Public Health Service from Freedom of
 8 Information Act fees, reimbursable and interagency agree-
 9 ments and the sale of data tapes shall be credited to this
 10 appropriation and shall remain available until expended.

11 RETIREMENT PAY AND MEDICAL BENEFITS FOR

12 COMMISSIONED OFFICERS

13 For retirement pay and medical benefits of Public
 14 Health Service Commissioned Officers as authorized by
 15 law, and for payments under the Retired Serviceman's
 16 Family Protection Plan and Survivor Benefit Plan and for
 17 medical care of dependents and retired personnel under
 18 the Dependents' Medical Care Act (10 U.S.C. ch. 55), and
 19 for payments pursuant to section 229(b) of the Social Se-
 20 curity Act (42 U.S.C. 429(b)), such amounts as may be
 21 required during the current fiscal year.

22 AGENCY FOR HEALTH CARE POLICY AND RESEARCH

23 HEALTH CARE POLICY AND RESEARCH

24 For carrying out titles III and IX of the Public
 25 Health Service Act, and part A of title XI of the Social
 26 Security Act, ~~(44)\$129,051,000~~ *\$139,305,000*, together

1 with not to exceed \$4,792,000 to be transferred from the
2 Federal Hospital Insurance and the Federal Supple-
3 mentary Medical Insurance Trust Funds, as authorized by
4 section 1142 of the Social Security Act and not to exceed
5 \$994,000 to be transferred from the Federal Hospital In-
6 surance and the Federal Supplementary Medical Insur-
7 ance Trust Funds, as authorized by section 201(g) of the
8 Social Security Act; and, in addition, amounts received
9 from Freedom of Information Act fees, reimbursable and
10 interagency agreements, and the sale of data tapes shall
11 be credited to this appropriation and shall remain avail-
12 able until expended: *Provided*, That the amount made
13 available pursuant to section 926(b) of the Public Health
14 Service Act shall not exceed \$13,204,000.

15 HEALTH CARE FINANCING ADMINISTRATION

16 GRANTS TO STATES FOR MEDICAID

17 For carrying out, except as otherwise provided, titles
18 XI and XIX of the Social Security Act, \$64,477,413,000,
19 to remain available until expended.

20 For making, after May 31, 1994, payments to States
21 under title XIX of the Social Security Act for the last
22 quarter of fiscal year 1994 for unanticipated costs, in-
23 curred for the current fiscal year, such sums as may be
24 necessary.

1 **(45)***For making payments to States under title XIX*
 2 *of the Social Security Act for the first quarter of fiscal year*
 3 *1995, \$26,600,000,000 to remain available until expended.*

4 Payment under title XIX may be made for any quar-
 5 ter with respect to a State plan or plan amendment in
 6 effect during such quarter, if submitted in or prior to such
 7 quarter and approved in that or any subsequent quarter.

8 PAYMENTS TO HEALTH CARE TRUST FUNDS

9 For payment to the Federal Hospital Insurance and
 10 the Federal Supplementary Medical Insurance Trust
 11 Funds, as provided under sections 217(g) and 1844 of the
 12 Social Security Act, sections 103(c) and 111(d) of the So-
 13 cial Security Amendments of 1965, section 278(d) of Pub-
 14 lic Law 97-248, and for administrative expenses incurred
 15 pursuant to section 201(g) of the Social Security Act,
 16 \$45,731,440,000.

17 PROGRAM MANAGEMENT

18 For carrying out, except as otherwise provided, titles
 19 XI, XVIII, and XIX of the Social Security Act, title XIII
 20 of the Public Health Service Act, the Clinical Laboratory
 21 Improvement Amendments of 1988, section 4360 of Pub-
 22 lic Law 101-508, and section 4005(e) of Public Law 100-
 23 203, not to exceed **(46)**~~\$2,172,598,000~~ *\$2,192,414,000*,
 24 together with all funds collected in accordance with section
 25 353 of the Public Health Service Act, the latter funds to
 26 remain available until expended; the **(47)**~~\$2,172,598,000~~

1 \$2,192,414,000 to be transferred to this appropriation as
 2 authorized by section 201(g) of the Social Security Act,
 3 from the Federal Hospital Insurance and the Federal Sup-
 4 plementary Medical Insurance Trust Funds: *Provided,*
 5 That all funds derived in accordance with 31 U.S.C. 9701
 6 from organizations established under title XIII of the Pub-
 7 lic Health Service Act are to be credited to this appropria-
 8 tion.

9 SOCIAL SECURITY ADMINISTRATION

10 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

11 For payment to the Federal Old-Age and Survivors
 12 Insurance and the Federal Disability Insurance Trust
 13 Funds, as provided under sections 201(m), 228(g), and
 14 1131(b)(2) of the Social Security Act, \$28,178,000.

15 SPECIAL BENEFITS FOR DISABLED COAL MINERS

16 For carrying out title IV of the Federal Mine Safety
 17 and Health Act of 1977, \$575,181,000, to remain avail-
 18 able until expended.

19 For making, after July 31 of the current fiscal year,
 20 benefit payments to individuals under title IV of the Fed-
 21 eral Mine Safety and Health Act of 1977, for costs in-
 22 curred in the current fiscal year, such amounts as may
 23 be necessary.

24 **(48)** *For making benefit payments under title IV of*
 25 *the Federal Mine Safety and Health Act of 1977 for the*

1 *first quarter of fiscal year 1995, \$190,000,000, to remain*
 2 *available until expended.*

3 SUPPLEMENTAL SECURITY INCOME PROGRAM

4 For carrying out titles XI and XVI of the Social Se-
 5 curity Act, section 401 of Public Law 92–603, section 212
 6 of Public Law 93–66, as amended, and section 405 of
 7 Public Law 95–216, including payment to the Social Secu-
 8 rity trust funds for administrative expenses incurred pur-
 9 suant to section 201(g)(1) of the Social Security Act,
 10 ~~(49)\$20,181,775,000~~ *\$20,172,775,000*, to remain avail-
 11 able until expended: *Provided*, That any portion of the
 12 funds provided to a State in the current fiscal year and
 13 not obligated by the State during that year shall be re-
 14 turned to the Treasury.

15 For making, after ~~(50)July 31~~ *June 15* of the cur-
 16 rent fiscal year benefit payments to individuals under title
 17 XVI of the Social Security Act for unanticipated costs in-
 18 curred for the current fiscal year, such sums as may be
 19 necessary.

20 ~~(51)~~*For carrying out title XVI of the Social Security*
 21 *Act for the first quarter of fiscal year 1995, \$6,770,000,000,*
 22 *to remain available until expended.*

23 LIMITATION ON ADMINISTRATIVE EXPENSES

24 For necessary expenses, not more than
 25 ~~(52)\$4,874,285,000~~ *\$4,876,085,000* may be expended, as

1 authorized by section 201(g)(1) of the Social Security Act
 2 ~~(53)~~ *or as necessary to carry out sections 9704 and 9706*
 3 *of the Internal Revenue Code of 1986 as such sections were*
 4 *in effect on January 1, 1993, from any one or all of the*
 5 *trust funds referred to therein* ~~(54)~~: *Provided, That no*
 6 *more than \$542,398,000 shall be derived from the Federal*
 7 *Hospital Insurance and the Federal Supplementary Medi-*
 8 *cal Insurance Trust Funds: Provided further, That reim-*
 9 *bursement to the Trust Funds under this heading for ad-*
 10 *ministrative expenses to carry out sections 9704 and 9706*
 11 *of the Internal Revenue Code of 1986 shall be made, with*
 12 *interest, not later than September 30, 1996: Provided fur-*
 13 *ther, That not more than \$1,800,000 is available for ex-*
 14 *penses necessary for the Commission on the Social Security*
 15 *“Notch” Issue, established by section 635 of Public Law*
 16 *102-393 as amended.*

17 In addition to funding already available under this
 18 heading, and subject to the same terms and conditions,
 19 \$320,000,000, of which \$260,000,000 shall be derived
 20 from the Federal Disability Insurance Trust Fund, for
 21 disability caseload processing.

22 In addition to funding already available under this
 23 heading, and subject to the same terms and conditions,
 24 ~~(55)~~ ~~\$330,000,000~~ \$220,000,000, which shall remain
 25 available until expended, to invest in a state-of-the-art

1 computing network, including related equipment and ad-
2 ministrative expenses associated solely with this network,
3 for the Social Security Administration and the State Dis-
4 ability Determination Services, may be expended from any
5 or all of the trust funds as authorized by section 201(g)(1)
6 of the Social Security Act.

7 ADMINISTRATION FOR CHILDREN AND FAMILIES

8 FAMILY SUPPORT PAYMENTS TO STATES

9 For making payments to States or other non-Federal
10 entities, except as otherwise provided, under titles I, IV-
11 A (other than section 402(g)(6)) and D, X, XI, XIV, and
12 XVI of the Social Security Act, and the Act of July 5,
13 1960 (24 U.S.C. ch. 9), \$11,915,966,000, to remain avail-
14 able until expended.

15 For making, after May 31 of the current fiscal year,
16 payments to States or other non-Federal entities under
17 titles I, IV-A and D, X, XI, XIV, and XVI of the Social
18 Security Act, for the last three months of the current year
19 for unanticipated costs, incurred for the current fiscal
20 year, such sums as may be necessary.

21 **(56)** *For making payments to States or other non-Fed-*
22 *eral entities under titles I, IV-A (other than section*
23 *402(g)(6)) and D, X, XI, XIV, and XVI of the Social Secu-*
24 *rity Act and the Act of July 5, 1960 (24 U.S.C. ch. 9) for*

1 *the first quarter of fiscal year 1995, \$4,200,000,000 to re-*
 2 *main available until expended.*

3 PAYMENTS TO STATES FOR AFDC WORK PROGRAMS

4 For carrying out aid to families with dependent chil-
 5 dren work programs, as authorized by part F of title IV
 6 of the Social Security Act, \$1,100,000,000.

7 **(57)** *LOW INCOME HOME ENERGY ASSISTANCE*

8 *For making payments under title XXVI of the Omni-*
 9 *bus Budget Reconciliation Act of 1981, \$1,507,408,000 to*
 10 *be available for obligation in the period October 1, 1994*
 11 *through June 30, 1995, of which \$100,000,000 shall be*
 12 *available for reimbursing States for costs incurred during*
 13 *the period October 1, 1993 through September 30, 1994.*

14 *For making payments under title XXVI of the Omni-*
 15 *bus Budget Reconciliation Act of 1981, an additional*
 16 *\$600,000,000: Provided, That all funds available under this*
 17 *paragraph are hereby designated by Congress to be emer-*
 18 *gency requirements pursuant to section 251(b)(2)(D) of the*
 19 *Balanced Budget and Emergency Deficit Control Act of*
 20 *1985: Provided further, That these funds shall be made*
 21 *available only after submission to Congress of a formal*
 22 *budget request by the President that includes designation*
 23 *of the entire amount of the request as an emergency require-*
 24 *ment as defined in the Balanced Budget and Emergency*
 25 *Deficit Control Act of 1985.*

1 REFUGEE AND ENTRANT ASSISTANCE

2 For making payments for refugee and entrant assist-
3 ance activities authorized by title IV of the Immigration
4 and Nationality Act and section 501 of the Refugee Edu-
5 cation Assistance Act of 1980 (Public Law 96-422),
6 \$400,000,000.

7 COMMUNITY SERVICES BLOCK GRANT

8 For making payments under the Community Services
9 Block Grant Act, section 408 of Public Law 99-425, and
10 the Stewart B. McKinney Homeless Assistance Act,
11 ~~(58)\$447,643,000~~ \$472,649,000, *including \$12,000,000*
12 *which shall be for carrying out the National Youth Sports*
13 *Program: Provided, That payments from such amount to*
14 *the grantee and subgrantee administering the National*
15 *Youth Sports Program may not exceed the aggregate*
16 *amount contributed in cash or in kind by the grantee and*
17 *subgrantee: Provided further, That amounts in excess of*
18 *\$9,400,000 of such amount may not be made available to*
19 *the grantee and subgrantees administering the National*
20 *Youth Sports Program unless the grantee agrees to provide*
21 *contributions in cash over and above the preceding years*
22 *cash contribution to such program in an amount that*
23 *equals 50 percent of such excess amount: Provided further,*
24 *That notwithstanding any other provision of this Act, no*
25 *department, agency, or instrumentality of the United States*

1 *Government receiving appropriated funds under this Act*
 2 *for fiscal year 1994 shall, during fiscal year 1994, obligate*
 3 *and expend funds for consulting services in excess of an*
 4 *amount equal to 96.48 percent of the amount estimated to*
 5 *be obligated and expended by such department, agency, or*
 6 *instrumentality for such services during fiscal year 1994:*
 7 *Provided further, That notwithstanding any other provision*
 8 *of this Act, the aggregate amount of funds appropriated by*
 9 *this Act to any such department, agency, or instrumentality*
 10 *for fiscal year 1994 is reduced by an amount equal to 3.52*
 11 *percent of the amount expected to be expended by such de-*
 12 *partment, agency or instrumentality during fiscal year*
 13 *1994 for consulting services. As used in the preceding two*
 14 *provisos, the term 'consulting services' includes any services*
 15 *within the definition of sub-object class 25.1 as described*
 16 *in the Office of Management and Budget Circular A-11,*
 17 *dated August 4, 1993.*

18 PAYMENTS TO STATES FOR CHILD CARE ASSISTANCE

19 For carrying out sections 658A through 658R of the
 20 Omnibus Budget Reconciliation Act of 1981,
 21 \$892,711,000(59), which shall be available for obligation
 22 under the same statutory terms and conditions applicable
 23 in the prior fiscal year.

1 SOCIAL SERVICES BLOCK GRANT

2 ~~(60)For monthly payments to States for carrying~~
3 ~~out title XX of the Social Security Act, \$2,800,000,000.~~

4 *For making grants to States pursuant to section 2002*
5 *of the Social Security Act, \$2,800,000,000. For carrying out*
6 *section 2007 of the Social Security Act, an additional*
7 *\$1,000,000,000, which shall remain available until ex-*
8 *ended.*

9 CHILDREN AND FAMILIES SERVICES PROGRAMS

10 For carrying out, except as otherwise provided, the
11 Runaway and Homeless Youth Act, the Developmental
12 Disabilities Assistance and Bill of Rights Act, the State
13 Dependent Care Development Grants Act, the Head Start
14 Act, the Child Development Associate Scholarship Assist-
15 ance Act of 1985, the Child Abuse Prevention and Treat-
16 ment Act, chapters 1 and 2 of subtitle B of title III of
17 the Anti-Drug Abuse Act of 1988, the Family Violence
18 Prevention and Services Act, the Native American Pro-
19 grams Act of 1974, title II of Public Law 95–266 (adop-
20 tion opportunities), the Temporary Child Care for Chil-
21 dren with Disabilities and Crisis Nurseries Act of 1986,
22 the Comprehensive Child Development Act, the Aban-
23 doned Infants Assistance Act of 1988, chapter 2 of sub-
24 title A of title IX of Public Law 101–501, subtitle F of
25 title VII of the Stewart B. McKinney Homeless Assistance

1 Act, and part B of title IV and section 1110 of the Social
 2 Security Act, and for necessary administrative expenses
 3 to carry out said Acts and titles I, IV, X, XI, XIV, XVI,
 4 and XX of the Social Security Act, the Act of July 5, 1960
 5 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act
 6 of 1981, section 204 of the Immigration Reform and Con-
 7 trol Act of 1986, title IV of the Immigration and National-
 8 ity Act, section 501 of the Refugee Education Assistance
 9 Act of 1980, Public Law 100-77, ~~(61)~~ *the Commission on*
 10 *Child and Family Welfare established under Public Law*
 11 *102-521*, and section 126 and titles IV and V of Public
 12 Law 100-485, ~~(62)~~ ~~\$4,169,806,000~~ \$4,296,796,000.

13 ~~(63)~~ *FAMILY SUPPORT AND PRESERVATION*

14 *For carrying out section 430 of the Social Security*
 15 *Act, \$60,000,000.*

16 PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION
 17 ASSISTANCE

18 For making payments to States or other non-Federal
 19 entities, under title IV-E of the Social Security Act,
 20 \$2,992,900,000.

21 ADMINISTRATION ON AGING

22 AGING SERVICES PROGRAMS

23 For carrying out, to the extent not otherwise pro-
 24 vided, the Older Americans Act of 1965, as amended, and

1 section 10404 of Public Law 101-239 (volunteer senior
2 aides demonstration), ~~(64)\$841,875,000~~ *\$881,863,000*.

3 OFFICE OF THE SECRETARY

4 GENERAL DEPARTMENTAL MANAGEMENT

5 For necessary expenses, not otherwise provided, for
6 general departmental management, including hire of six
7 medium sedans, ~~(65)\$94,149,000~~ *\$92,793,000*, together
8 with \$31,261,000, to be transferred and expended as au-
9 thorized by section 201(g)(1) of the Social Security Act
10 from any one or all of the trust funds referred to therein.

11 OFFICE OF INSPECTOR GENERAL

12 For expenses necessary for the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, as amended, ~~(66)\$62,379,000~~
15 *\$64,800,000*, together with not to exceed \$36,617,000, to
16 be transferred and expended as authorized by section
17 201(g)(1) of the Social Security Act from any one or all
18 of the trust funds referred to therein.

19 OFFICE FOR CIVIL RIGHTS

20 For expenses necessary for the Office for Civil
21 Rights, \$18,308,000, together with not to exceed
22 \$3,874,000, to be transferred and expended as authorized
23 by section 201(g)(1) of the Social Security Act from any
24 one or all of the trust funds referred to therein.

1 POLICY RESEARCH

2 For carrying out, to the extent not otherwise pro-
3 vided, research studies under section 1110 of the Social
4 Security Act, \$12,000,000.

5 GENERAL PROVISIONS

6 SEC. 201. None of the funds made available by this
7 Act for the National Institutes of Health, except for those
8 appropriated to the “Office of the Director”, may be used
9 to provide forward funding or multiyear funding of re-
10 search project grants except in those cases where the Di-
11 rector of the National Institutes of Health has determined
12 that such funding is specifically required because of the
13 scientific requirements of a particular research project
14 grant.

15 SEC. 202. Funds appropriated in this title shall be
16 available for not to exceed \$37,000 for official reception
17 and representation expenses when specifically approved by
18 the Secretary.

19 SEC. 203. The Secretary shall make available through
20 assignment not more than 60 employees of the Public
21 Health Service to assist in child survival activities and to
22 work in AIDS programs through and with funds provided
23 by the Agency for International Development, the United
24 Nations International Children’s Emergency Fund or the
25 World Health Organization.

1 SEC. 204. None of the funds appropriated in this title
 2 for the National Institutes of Health and the Substance
 3 Abuse and Mental Health Services Administration shall
 4 be used to pay the salary of an individual, through a grant
 5 or other extramural mechanism, at a rate in excess of
 6 \$125,000 per year.

7 ~~(67)~~SEC. 205. Notwithstanding any other provision
 8 of this Act, amounts available in this Act for administra-
 9 tive costs for each agency of the Public Health Service
 10 funded in this Act shall not exceed the amount set forth
 11 therefor for each such agency in the budget estimates and
 12 accompanying justification of estimates submitted for the
 13 appropriations.

14 SEC. 206. None of the funds appropriated under this
 15 Act may be used to implement the provisions of section
 16 706(e) of the ADAMHA Reorganization Act, Public Law
 17 102-321, or section 399L(b) of the Public Health Service
 18 Act or section ~~(68)1911(d)~~ 1503 of the National Insti-
 19 tutes of Health Revitalization Act of 1993, Public Law
 20 103-43.

21 ~~(69)~~SEC. 207. *For the purpose of carrying out sub-*
 22 *parts II and III part B of title XIX of the Public Health*
 23 *Service Act (42 U.S.C. 300x-21 et seq.) for fiscal years 1993*
 24 *and 1994, the Secretary of Health and Human Services*
 25 *shall obligate \$7,532,065 from the amounts made available*

1 pursuant to section 1935(b) of such Act for fiscal year 1994,
2 of which \$673,706 shall be available to Arkansas, \$40,702
3 shall be available to Georgia, \$144,331 shall be available
4 to Hawaii, \$488,178 shall be available to Idaho, \$223,109
5 shall be available to Indiana, \$820,641 shall be available
6 to Iowa, \$729,745 shall be available to Kansas, \$609,672
7 shall be available to Kentucky, \$69,682 shall be available
8 to Louisiana, \$34,514 shall be available to Maine, \$349,997
9 shall be available to Minnesota, \$8,626 shall be available
10 to the Red Lake Indian Tribe, \$500,441 shall be available
11 to Mississippi, \$184,176 shall be available to Montana,
12 \$231,450 shall be available to Nebraska, \$8,896 shall be
13 available to North Carolina, \$97,530 shall be available to
14 North Dakota, \$66,083 shall be available to Ohio, \$578,520
15 shall be available to Oklahoma, \$557,924 shall be available
16 to Oregon, \$167,753 shall be available to South Carolina,
17 \$319,674 shall be available to Tennessee, \$196,426 shall be
18 available to West Virginia, \$195,834 shall be available to
19 Wisconsin, and \$234,455 shall be available to Wyoming.

20 **(70)**SEC. 208. Not to exceed \$190,400,000 may be ob-
21 ligated in fiscal year 1994 for contracts with Utilization
22 and Quality Control Peer Review Organizations pursuant
23 to part B of title XI of the Social Security Act.

24 **(71)**SEC. 209. None of the funds appropriated under
25 this Act for the Medicaid Disproportionate Share Hospital

1 payment program may be disbursed to a State until the
 2 Governor of such State certifies to the Secretary of Health
 3 and Human Services that such funds shall be expended sole-
 4 ly for providing medical assistance under Medicaid: Pro-
 5 vided, That it is the sense of the Senate that any health
 6 care reform legislation enacted by Congress should modify
 7 or eliminate the Medicaid Disproportionate Share Hospital
 8 payment program, because States are currently abusing the
 9 program by spending Federal matching funds for purposes
 10 unrelated to Medicaid.

11 **(72)SEC. 210. RESTRICTION ON PAYMENT OF BENE-**
 12 **FITS TO INDIVIDUALS CONFINED BY COURT ORDER**
 13 **TO PUBLIC INSTITUTIONS PURSUANT TO VERDICTS**
 14 **OF NOT GUILTY BY REASON OF INSANITY OR OTHER**
 15 **MENTAL DISORDER.**

16 (a) *IN GENERAL.*—Section 202(x)(1) of the Social Se-
 17 curity Act (42 U.S.C. 402(x)(1)) is amended—

18 (1) by inserting “(A)” after “(1)”, and

19 (2) by adding at the end the following new sub-
 20 paragraph:

21 “(B) Notwithstanding any other provision
 22 of this title, no monthly benefits shall be paid
 23 under this section or under section 223 to any
 24 individual for any month during which such in-
 25 dividual is confined in any public institution by

1 *a court order pursuant to a verdict that the indi-*
2 *vidual is guilty, but insane or not guilty of an*
3 *offense by reason of insanity (or by reason of a*
4 *similar finding, such as a mental disease, a*
5 *mental defect, or mental incompetence).”.*

6 *(b) CONFORMING AMENDMENTS.—*

7 *(1) The heading for section 202(x) of such Act is*
8 *amended by inserting “and Certain Other Inmates of*
9 *Public Institutions” after “Prisoners”.*

10 *(2) section 202(x)(3), is amended by striking*
11 *“any individual” and all that follows and inserting*
12 *“any individual confined as described in paragraph*
13 *(1) if the jail, prison, penal institution, correctional*
14 *facility, or other public institution to which such in-*
15 *dividual is so confined is under the jurisdiction of*
16 *such agency and the Secretary requires such informa-*
17 *tion to carry out the provisions of this section.”.*

18 *(c) EFFECTIVE DATE.—*

19 *(1) IN GENERAL.—Except as provided in para-*
20 *graph (2), the amendments made by this section shall*
21 *apply with respect to benefits for months commencing*
22 *90 days after the date of the enactment of this Act.*

23 *(2) SPECIAL RULE REGARDING PAYMENTS TO IN-*
24 *STITUTIONS.—The amendment made by subsection (a)*
25 *shall not apply to any payment with respect to any*

7 TITLE III—DEPARTMENT OF EDUCATION

(73) *(INCLUDING TRANSFER OF FUNDS)*

For carrying out education reform activities author-
ized in law, including activities authorized by the Carl D.
Perkins Vocational and Applied Technology Education Act,
\$166,000,000, of which \$5,000,000, under section 402 of the
Perkins Act, shall be used by the Secretary for activities,

1 *including peer review of applications, related to school-to-*
 2 *work transition, and not less than \$45,000,000 shall be used*
 3 *under section 420A of the Perkins Act for State grants and*
 4 *subgrants to initiate activities in States and localities relat-*
 5 *ed to school-to-work transition: Provided, That*
 6 *\$116,000,000 of the funds provided shall be for carrying*
 7 *out activities authorized by the Goals 2000: Educate Amer-*
 8 *ica Act, or similar legislation, if enacted into law by April*
 9 *1, 1994 of which \$5,000,000 shall be used for "State Plan-*
 10 *ning for Improving Student Achievement Through Integra-*
 11 *tion of Technology Into the Curriculum"; and that if such*
 12 *legislation is not enacted by that date, this amount shall*
 13 *be used for alleviation of the funding shortfall in the Pell*
 14 *Grant program under subpart 1 of Part A of title IV of*
 15 *the Higher Education Act of 1965: Provided further, That*
 16 *any funds appropriated in this account may be transferred*
 17 *as necessary to other Department of Education accounts.*

18 COMPENSATORY EDUCATION FOR THE DISADVANTAGED

19 For carrying out the activities authorized by chapter
 20 1 of title I of the Elementary and Secondary Education
 21 Act of 1965, as amended, and by section 418A of the
 22 Higher Education Act, ~~(75)\$6,871,147,000~~
 23 ~~\$6,971,620,000~~, of which ~~(76)\$6,844,682,000~~
 24 ~~\$6,943,175,000~~ shall become available on July 1, 1994 and
 25 shall remain available through September 30, 1995: *Pro-*
 26 *vided, That (77)\$5,597,000,000 \$5,687,000,000 shall be*

1 available for basic grants under section 1005
 2 ~~(78)~~excluding subsection (a)(3), \$694,000,000 shall be
 3 available for concentration grants under section 1006,
 4 ~~(79)\$39,734,000~~ \$42,000,000 shall be available for cap-
 5 ital expenses under section 1017, ~~(80)\$89,123,000~~
 6 \$92,123,000 shall be available for the Even Start program
 7 under part B, ~~(81)\$302,773,000~~ \$306,000,000 shall be
 8 available for migrant education activities under subpart 1
 9 of part D, \$35,407,000 shall be available for delinquent
 10 and neglected education activities under subpart 3 of part
 11 D, \$60,712,000 shall be for State administration under
 12 section 1404, \$25,933,000 shall be for program improve-
 13 ment activities under section 1405, \$13,100,000 shall be
 14 for evaluation and technical assistance under sections
 15 1437 and 1463, and ~~(82)\$2,980,000~~ \$4,960,000 shall be
 16 for rural technical assistance under section 1459: *Provided*
 17 *further*, That no State shall receive less than \$340,000
 18 from the amounts made available under this appropriation
 19 for concentration grants under section 1006: *Provided fur-*
 20 *ther*, That no State shall receive less than \$375,000 from
 21 the amounts made available under this appropriation for
 22 State administration grants under section 1404.

23 IMPACT AID

24 For carrying out programs of financial assistance to
 25 federally affected schools as authorized by Public Laws
 26 81-815 and 81-874, as amended, ~~(83)\$813,074,000~~

1 \$748,368,000: *Provided, That* ~~(84)\$630,000,000~~
 2 \$563,780,000 shall be for payments under section 3(a),
 3 ~~(85)\$123,629,000~~ \$121,629,000 shall be for payments
 4 under section 3(b), ~~(86)\$29,462,000~~ \$34,762,000, to re-
 5 main available until expended, shall be for payments under
 6 section 3(d)(2)(B), \$16,293,000 shall be for payments
 7 under section 2, ~~(87)\$1,786,000 shall be for payments~~
 8 ~~under section 3(e)~~, and \$11,904,000, to remain available
 9 until expended, shall be for construction and renovation
 10 of school facilities, including \$4,563,000 for awards under
 11 section 10, \$3,770,000 for awards under sections 14(a)
 12 and 14(b), and \$3,571,000 for awards under sections 5
 13 and 14(c): *Provided further, That* all payments under sec-
 14 tion 3 shall be based on the number of children who, dur-
 15 ing the prior fiscal year, were in average daily attendance
 16 at the schools of a local educational agency and for whom
 17 such agency provided free public education, except that
 18 (1) any local educational agency that did not exist in the
 19 prior fiscal year and that would be eligible under this pro-
 20 viso for payments under section 3 for the current fiscal
 21 year had it been an operating local educational agency in
 22 the prior fiscal year, shall be paid on the basis of the num-
 23 ber of children who, during the current fiscal year, are
 24 in average daily attendance at the schools of such agency
 25 and for whom such agency provides free public education;

1 and (2) any local educational agency with an increase of
 2 5 percent or more from the prior fiscal year to the current
 3 fiscal year in the number of children described in section
 4 3 of the Act, as a direct result of activities of the United
 5 States, and that submits a written request to the Sec-
 6 retary, shall be paid on the basis of the number of children
 7 who, during the current fiscal year, are in average daily
 8 attendance at the schools of such agency and for whom
 9 such agency provides free public education: *Provided fur-*
 10 *ther,* That notwithstanding the provisions of section
 11 3(d)(3)(A), aggregate current expenditure and average
 12 daily attendance data for the third preceding fiscal year
 13 shall be used to compute local contribution rates: *Provided*
 14 *further,* That notwithstanding the provisions of section
 15 3(d)(2)(B), 3(d)(3)(B)(ii), and 3(h)(2), eligibility and en-
 16 titlement determinations for those sections shall be com-
 17 puted on the basis of data from the fiscal year preceding
 18 each fiscal year described in those respective sections as
 19 they were in effect for fiscal year 1991.

20 SCHOOL IMPROVEMENT PROGRAMS

21 For carrying out the activities authorized by chapter
 22 2 of title I and titles II, III, IV, V, without regard to sec-
 23 tions 5112(a) and 5112(c)(2)(A), and VI of the Elemen-
 24 tary and Secondary Education Act of 1965; the Stewart
 25 B. McKinney Homeless Assistance Act; the Civil Rights
 26 Act of 1964; title V of the Higher Education Act; title

1 IV of Public Law 100-297; and the Follow Through Act;
 2 ~~(88)\$1,339,178,000~~ *\$1,393,893,000*, of which
 3 ~~(89)\$1,014,709,000~~ *\$1,065,101,000* shall become avail-
 4 able on July 1, 1994, and remain available through Sep-
 5 tember 30, 1995: *Provided*, That of the amount appro-
 6 priated, ~~(90)\$24,925,000~~ *\$25,196,000* shall be for na-
 7 tional programs under part B of chapter 2 of title I, and
 8 ~~(91)\$246,016,000~~ *\$252,658,000* shall be for State grants
 9 for mathematics and science education under part A of
 10 title II of the Elementary and Secondary Education Act
 11 of 1965~~(92)~~: *Provided further*, That of the amount pro-
 12 vided for the State and local programs under part B of
 13 title V of the Elementary and Secondary Education Act,
 14 up to \$32,838,000 may be used for Department of Edu-
 15 cation activities authorized under the Safe Schools Act, or
 16 similar legislation, if such legislation is enacted by April
 17 1, 1994; and any funds used for such activities shall be
 18 available from October 1, 1993 through September 30, 1994.

19 BILINGUAL AND IMMIGRANT EDUCATION

20 For carrying out, to the extent not otherwise pro-
 21 vided, title VII and part D of title IV of the Elementary
 22 and Secondary Education Act, ~~(93)\$242,789,000~~
 23 *\$232,251,000*, of which ~~(94)\$36,672,000~~ *\$35,708,000*
 24 shall be for training activities under part C of title VII,
 25 and ~~(95)\$40,000,000~~ *\$35,968,000*, which shall become
 26 available on July 1, 1994 and remain available until Sep-

1 tember 30, 1995, shall be for immigrant education activi-
 2 ties authorized by part D of title IV.

3 SPECIAL EDUCATION

4 For carrying out the Individuals with Disabilities
 5 Education Act and title I, chapter 1, part D, subpart 2
 6 of the Elementary and Secondary Education Act of 1965,
 7 ~~(96)\$3,039,442,000~~ \$3,134,734,000, of which
 8 ~~(97)\$2,108,218,000~~ \$2,163,508,000 for section 611,
 9 ~~(98)\$325,773,000~~ \$343,751,000 for section 619,
 10 ~~(99)\$243,769,000~~ \$256,280,000 for section 686 and
 11 ~~(100)\$113,755,000~~ \$120,000,000 for title I, chapter 1,
 12 part D, subpart 2 shall become available for obligation on
 13 July 1, 1994, and shall remain available through Septem-
 14 ber 30, 1995: *Provided*, That any State agency eligible to
 15 receive funds under such subpart shall, at a State's discre-
 16 tion, be deemed to be a local educational agency for the
 17 purposes of part B of the Individuals with Disabilities
 18 Education Act: *Provided further*, That no State shall re-
 19 ceive more per child under such subpart than it received
 20 for fiscal year 1993: *Provided further*, That any funds for
 21 such subpart that are not allocated because of the preced-
 22 ing proviso shall be available for carrying out section 611
 23 of the Individuals with Disabilities Education Act.

24 REHABILITATION SERVICES AND DISABILITY RESEARCH

25 For carrying out, to the extent not otherwise pro-
 26 vided, the Rehabilitation Act of 1973, ~~(101)Public Law~~

1 ~~100-407~~ *the Technology-Related Assistance for Individuals*
 2 *with Disabilities Act*, and the Helen Keller National Cen-
 3 ter Act, as amended, ~~(102)\$2,251,028,000~~
 4 *\$2,316,913,000*.

5 SPECIAL INSTITUTIONS FOR PERSONS WITH
 6 DISABILITIES

7 AMERICAN PRINTING HOUSE FOR THE BLIND

8 For carrying out the Act of March 3, 1879, as
 9 amended (20 U.S.C. 101 et seq.), \$6,463,000.

10 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

11 For the National Technical Institute for the Deaf
 12 under titles I and II of the Education of the Deaf Act
 13 of 1986 (20 U.S.C. 4301 et seq.), \$41,836,000, of which
 14 \$336,000 shall be for the endowment program as author-
 15 ized under section 207 and shall be available until ex-
 16 pended and \$193,000 shall be for construction and shall
 17 be available until expended.

18 GALLAUDET UNIVERSITY

19 For the Kendall Demonstration Elementary School,
 20 the Model Secondary School for the Deaf, and the partial
 21 support of Gallaudet University under titles I and II of
 22 the Education of the Deaf Act of 1986 (20 U.S.C. 4301
 23 et seq.), ~~(103)\$77,435,000~~ *\$79,435,000*, of which
 24 \$1,000,000 shall be for the endowment program as au-
 25 thorized under section 207 and shall be available until ex-

1 pended ~~(104)~~ *and \$2,000,000 shall be for construction and*
 2 *shall be available until expended.*

3 VOCATIONAL AND ADULT EDUCATION

4 For carrying out, to the extent not otherwise pro-
 5 vided, the Carl D. Perkins Vocational and Applied Tech-
 6 nology Education Act, the Adult Education Act, and the
 7 Stewart B. McKinney Homeless Assistance Act,
 8 ~~(105)~~ ~~\$1,474,243,000~~ *\$1,483,433,000*, of which \$300,000
 9 for the national assessment of vocational education shall
 10 become available October 1, 1993 and remain available
 11 until expended; \$2,946,000 for tribally controlled post-
 12 secondary vocational institutions shall become available on
 13 October 1, 1993 and remain available until September 30,
 14 1994; and the remainder shall become available on July
 15 1, 1994 and shall remain available through September 30,
 16 1995: *Provided*, That of the amounts made available under
 17 the Carl D. Perkins Vocational and Applied Technology
 18 Education Act, \$436,000 of the amount available for
 19 Tech-Prep shall be for evaluation of the program and
 20 ~~(106)~~ ~~\$31,327,000~~ *\$40,327,000* shall be for national pro-
 21 grams under title IV, including \$9,662,000 for research,
 22 of which \$6,000,000 shall be for the National Center for
 23 Research on Vocational Education; ~~(107)~~ ~~\$16,705,000~~
 24 *\$25,705,000* for demonstrations, notwithstanding section
 25 411(b) ~~(108)~~, *including \$5,000,000 for model community*

1 *education and employment centers*; and \$4,960,000 for
 2 data systems: *Provided further*, That of the amounts made
 3 available under the Adult Education Act, \$3,928,000 shall
 4 be for national programs under section 383, and
 5 \$4,909,000 shall be for the National Institute for Literacy
 6 under section 384.

7 STUDENT FINANCIAL ASSISTANCE

8 For carrying out subparts 1, 3, and 4 of part A, and
 9 parts C, E, ~~(109)~~G, and H of title IV of the Higher Edu-
 10 cation Act of 1965, as amended, ~~(110)\$8,120,366,000~~
 11 *\$8,004,293,000*, which shall remain available through Sep-
 12 tember 30, 1995: *Provided*, That the maximum Pell Grant
 13 for which a student shall be eligible during award year
 14 1994–1995 shall be ~~(111)\$2,250~~ *\$2,300*: *Provided fur-*
 15 *ther*, That notwithstanding section 484(f) of such Act, the
 16 Secretary may, without limitation, require an institution
 17 of higher education to verify the accuracy of data used
 18 to determine student eligibility for assistance under title
 19 IV of that Act.

20 FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

21 For the cost of Federal Family Education loans, in-
 22 cluding administrative costs other than Federal adminis-
 23 trative costs, as authorized by title IV, part B, of the
 24 Higher Education Act, as amended, such sums as may be
 25 necessary to carry out the purposes of the program: *Pro-*
 26 *vided*, That such costs, including costs of modifying such

1 loans, shall be as defined in section 502 of the Congres-
 2 sional Budget Act of 1974, as amended. In addition, for
 3 Federal administrative expenses to carry out guaranteed
 4 student loans authorized by title IV, part B, of the Higher
 5 Education Act, as amended, \$72,466,000.

6 ~~(112)~~ GUARANTEED STUDENT LOANS PROGRAM ACCOUNT
 7 ~~(RESCISSION)~~

8 The amounts provided under this heading in Public
 9 Law 102-394 for programs authorized by title XIV of the
 10 Higher Education Act are rescinded.

11 FEDERAL DIRECT ~~(113)~~ STUDENT LOAN PROGRAM
 12 ACCOUNT

13 For the cost of ~~(114)~~ the direct loan demonstration
 14 program authorized by section 451 of Public Law 102-
 15 325 (106 Stat. 569) direct loans authorized by title IV,
 16 part D, of the Higher Education Act, as amended, such
 17 sums as may be necessary to carry out the purposes of
 18 the program, including such sums as may be derived from
 19 negative subsidy receipts: *Provided*, That such costs, in-
 20 cluding costs of modifying such loans, shall be as defined
 21 in section 502 of the Congressional Budget Act of 1974.

22 HIGHER EDUCATION

23 For carrying out, to the extent not otherwise pro-
 24 vided, titles I, III, IV, V, VI, VII, VIII, IX, part A
 25 ~~(115)~~ and subpart 1 of part B, subpart 1 of part B and

1 *part D* of title X, XI, without regard to section 1151, and
 2 XII ~~(116)~~ and section 1410 of the Higher Education Act
 3 of 1965, as amended; the Mutual Educational and Cul-
 4 tural Exchange Act of 1961; and title VI of the Excellence
 5 in Mathematics, Science and Engineering Education Act
 6 of 1990; ~~(117)~~ ~~\$889,855,000~~ \$882,974,000, of which
 7 \$7,565,000 for endowment activities under section 331 of
 8 part C of title III and \$18,029,000 for interest subsidies
 9 under title VII of the Higher Education Act, as amended,
 10 shall remain available until expended, and \$397,000 shall
 11 be available for section 1204(c) ~~(118)~~: *Provided, That*
 12 *under subpart 6 of part A of title IV of the Higher Edu-*
 13 *cation Act, the District of Columbia and the Commonwealth*
 14 *of Puerto Rico shall receive funding allocations as if they*
 15 *were States and shall not be subject to the limitations on*
 16 *the non-State entities listed in section 419G(b).*

17 HOWARD UNIVERSITY

18 For partial support of Howard University (20 U.S.C.
 19 121 et seq.), \$192,686,000, of which \$3,441,000, to re-
 20 main available until expended, shall be for a matching en-
 21 dowment grant to be administered in accordance with the
 22 Howard University Endowment Act (Public Law 98–480).

23 HIGHER EDUCATION FACILITIES LOANS

24 The Secretary is hereby authorized to make such ex-
 25 penditures, within the limits of funds available under this

1 heading and in accord with law, and to make such con-
2 tracts and commitments without regard to fiscal year limi-
3 tation, as provided by section 104 of the Government Cor-
4 poration Control Act (31 U.S.C. 9104), as may be nec-
5 essary in carrying out the program for the current fiscal
6 year.

7 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
8 PROGRAM

9 For administrative expenses to carry out the existing
10 direct loan program of college housing and academic facili-
11 ties loans entered into pursuant to title VII, part C, of
12 the Higher Education Act, as amended, \$730,000.

13 COLLEGE HOUSING LOANS

14 Pursuant to title VII, part C of the Higher Education
15 Act, as amended, for necessary expenses of the college
16 housing loans program, previously carried out under title
17 IV of the Housing Act of 1950, the Secretary shall make
18 expenditures and enter into contracts without regard to
19 fiscal year limitation using loan repayments and other re-
20 sources available to this account. Any unobligated bal-
21 ances becoming available from fixed fees paid into this ac-
22 count pursuant to 12 U.S.C. 1749d, relating to payment
23 of costs for inspections and site visits, shall be available
24 for the operating expenses of this account.

1 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
 2 CAPITAL FINANCING, PROGRAM ACCOUNT

3 To carry out the purposes of title VII, part B of the
 4 Higher Education Act, as amended, and subject to the
 5 limitations of section 724 of such part, the Secretary is
 6 authorized to enter into insurance agreements to provide
 7 financial insurance to guarantee for full payment of prin-
 8 cipal and interest on qualified bonds upon the conditions
 9 set forth in subsections (b), (c) and (d) of section 723
 10 of such part: *Provided*, That bonds insured pursuant to
 11 such part shall not exceed ~~(119)~~\$178,500,000
 12 \$357,000,000, and the cost, as defined in section 502 of
 13 the Congressional Budget Act of 1974, of such bonds shall
 14 not exceed zero.

15 For administrative expenses to carry out the Histori-
 16 cally Black College and University Capital Financing Pro-
 17 gram entered into pursuant to title VII, part B of the
 18 Higher Education Act, as amended, \$200,000.

19 EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

20 For carrying out the activities authorized by section
 21 405 and section 406 of the General Education Provisions
 22 Act, as amended ~~(120)~~(*or any successor authority*); sec-
 23 tion 1562, ~~(121)~~section ~~1566~~, section 2012, subpart 2 of
 24 part A of title II, and parts B, E, and F of title IV of
 25 the Elementary and Secondary Education Act of 1965, as

1 amended; part B of title III of Public Law 100–297; title
 2 IX of the Education for Economic Security Act;
 3 ~~(122)section 6041 of Public Law 100–418; title II of~~
 4 Public Law 102–62; and section 551 of the Higher Edu-
 5 cation Act, ~~(123)\$277,244,000: *Provided, That*~~
 6 ~~\$5,396,000 shall be for Grants for Schools and Teachers~~
 7 ~~under subpart 1 and \$3,687,000 shall be for Family~~
 8 ~~School Partnerships under subpart 2 of part B of title~~
 9 ~~III of Public Law 100–297; \$14,582,000 shall be for na-~~
 10 ~~tional diffusion activities under section 1562; \$879,000~~
 11 ~~shall be for Blue Ribbon Schools under section 1566; and~~
 12 ~~\$15,872,000 shall be for national programs under section~~
 13 ~~2012 \$301,398,000: *Provided, That \$31,000,000 shall be for*~~
 14 ~~*research centers, including funds to extend the existing*~~
 15 ~~*award for a research center on the education of disadvan-*~~
 16 ~~*tagged students for up to one year; \$38,032,000 shall be for*~~
 17 ~~*regional laboratories, including \$9,508,000 for rural initia-*~~
 18 ~~*tives; \$40,000,000 shall be for activities under the Fund for*~~
 19 ~~*Innovation in Education; \$4,463,000 shall be for civic edu-*~~
 20 ~~*cation activities under section 4609; \$5,396,000 shall be for*~~
 21 ~~*Grants for Schools and Teachers under subpart 1 and*~~
 22 ~~*\$3,687,000 shall be for Family School Partnerships under*~~
 23 ~~*subpart 2 of part B of title III of Public Law 100-297;*~~
 24 ~~*\$14,582,000 shall be for national diffusion activities under*~~
 25 ~~*section 1562; \$16,072,000 shall be for national programs*~~

1 under section 2012, including \$3,672,000 for the National
 2 Clearinghouse for Science and Mathematics under section
 3 2012(d); and \$15,000,000 shall be for regional consortia
 4 under subpart 2 of part A of title II; \$9,607,000 shall be
 5 for Javits gifted and talented students education;
 6 \$27,000,000 shall be for star schools, of which \$4,500,000
 7 shall be for a demonstration of a statewide, two-way inter-
 8 active fiber optic telecommunications network, carrying
 9 voice, video, and data transmissions, and housing a point
 10 of presence in every county; \$1,737,000 shall be for terri-
 11 torial teacher training; and \$3,212,000 shall be for the Na-
 12 tional Writing Project.

LIBRARIES

13
 14 For carrying out, to the extent not otherwise pro-
 15 vided, titles I, II, III, IV, and VI of the Library Services
 16 and Construction Act (20 U.S.C. ch. 16), and title II of
 17 the Higher Education Act, ~~(124)~~\$145,101,000
 18 \$147,517,000, of which \$19,000,000 shall be used to carry
 19 out the provisions of title II of the Library Services and
 20 Construction Act and shall remain available until ex-
 21 pended, and \$4,960,000 shall be for section 222 and
 22 \$2,802,000 shall be for section 223 of the Higher Education
 23 Act, of which \$2,500,000 shall be for demonstration of on-
 24 line and dial-in access to a statewide, multitype library
 25 bibliographic database through a statewide fiber optic net-

1 *work housing a point of presence in every county, connect-*
 2 *ing library services in every municipality.*

3 DEPARTMENTAL MANAGEMENT

4 PROGRAM ADMINISTRATION

5 For carrying out, to the extent not otherwise pro-
 6 vided, the Department of Education Organization Act, in-
 7 cluding rental of conference rooms in the District of Co-
 8 lumbia and hire of two passenger motor vehicles,
 9 ~~125) \$352,008,000~~ \$291,921,000: *Provided*, That the
 10 Secretary may use funds appropriated to carry out any
 11 Department of Education programs under which awards
 12 are made on a competitive basis to reimburse this account
 13 for the direct expenses of non-Federal experts to review
 14 applications and proposals for such awards.

15 OFFICE FOR CIVIL RIGHTS

16 For expenses necessary for the Office for Civil
 17 Rights, as authorized by section 203 of the Department
 18 of Education Organization Act, \$56,570,000.

19 OFFICE OF THE INSPECTOR GENERAL

20 For expenses necessary for the Office of the Inspector
 21 General, as authorized by section 212 of the Department
 22 of Education Organization Act, \$28,840,000.

23 GENERAL PROVISIONS

24 SEC. 301. No part of the funds contained in this title
 25 may be used to force any school or school district which
 26 is desegregated as that term is defined in title IV of the

1 Civil Rights Act of 1964, Public Law 88-352, to take any
2 action to force the busing of students; to force on account
3 of race, creed or color the abolishment of any school so
4 desegregated; or to force the transfer or assignment of any
5 student attending any elementary or secondary school so
6 desegregated to or from a particular school over the pro-
7 test of his or her parents or parent.

8 SEC. 302. (a) No part of the funds contained in this
9 title shall be used to force any school or school district
10 which is desegregated as that term is defined in title IV
11 of the Civil Rights Act of 1964, Public Law 88-352, to
12 take any action to force the busing of students; to require
13 the abolishment of any school so desegregated; or to force
14 on account of race, creed or color the transfer of students
15 to or from a particular school so desegregated as a condi-
16 tion precedent to obtaining Federal funds otherwise avail-
17 able to any State, school district or school.

18 (b) No funds appropriated in this Act may be used
19 for the transportation of students or teachers (or for the
20 purchase of equipment for such transportation) in order
21 to overcome racial imbalance in any school or school sys-
22 tem, or for the transportation of students or teachers (or
23 for the purchase of equipment for such transportation) in
24 order to carry out a plan of racial desegregation of any
25 school or school system.

1 SEC. 303. None of the funds contained in this Act
2 shall be used to require, directly or indirectly, the trans-
3 portation of any student to a school other than the school
4 which is nearest the student's home, except for a student
5 requiring special education, to the school offering such
6 special education, in order to comply with title VI of the
7 Civil Rights Act of 1964. For the purpose of this section
8 an indirect requirement of transportation of students in-
9 cludes the transportation of students to carry out a plan
10 involving the reorganization of the grade structure of
11 schools, the pairing of schools, or the clustering of schools,
12 or any combination of grade restructuring, pairing or clus-
13 tering. The prohibition described in this section does not
14 include the establishment of magnet schools.

15 SEC. 304. No funds appropriated under this Act may
16 be used to prevent the implementation of programs of vol-
17 untary prayer and meditation in the public schools.

18 ~~(126)~~ SEC. 305. (a) *The Congress finds that—*

19 (1) *in order to increase our Nation's standard of*
20 *living and to increase the number of good jobs, the*
21 *United States must increase its productivity and*
22 *ability to compete in the international marketplace*
23 *by improving the educational level of our workforce;*

24 (2) *although efforts are being made to establish*
25 *higher educational standards and goals, there is a*

1 *substantial shortage of resources to meet such stand-*
2 *ards and goals;*

3 *(3) States and local communities are finding it*
4 *increasingly difficult to meet ever higher educational*
5 *standards and goals, and States will not be able to*
6 *fund needed changes without Federal help to reach*
7 *such standards and goals;*

8 *(4) the Federal Government has established*
9 *many education programs but failed to provide ade-*
10 *quate funding for such programs, for example one*
11 *such program provides education to our Nation's dis-*
12 *abled students and was established with a promise of*
13 *40 percent Federal funding but currently receives*
14 *only 8 percent Federal funding;*

15 *(5) the annual shortfall in Federal education*
16 *programs is approximately half of the promised fund-*
17 *ing;*

18 *(6) many needed education improvements will*
19 *not need Federal funds, however, other suggested*
20 *changes such as lengthened school years, better pay,*
21 *after-school activities, mentoring for students at risk,*
22 *programs for gifted students, and replacing sub-*
23 *standard buildings will require substantial Federal*
24 *assistance; and*

1 (7) *the Federal contribution to education is less*
2 *than 2 percent of the total Federal budget, and in*
3 *order to make education a national priority, the total*
4 *percentage of Federal education funding should be in-*
5 *creased by 1 percent each year over the next 8 years*
6 *to reach 10 percent of the total Federal budget.*

7 (b) *It is the sense of the Congress that the total share*
8 *of the Federal spending on education should increase by at*
9 *least 1 percent each year until such share reaches 10 percent*
10 *of the total Federal budget.*

11 **(127)** *SEC. 306. (a) The Congress finds that—*

12 (1) *according to the recent National Performance*
13 *Review, there are currently 230 distinct programs in*
14 *the Department of Education, 160 of which award*
15 *grants through 245 national competitions each year;*

16 (2) *many of these programs overlap in purpose*
17 *and orientation, differing only in the administrative*
18 *requirements such programs impose on applicants*
19 *and the Department of Education;*

20 (3) *as an example, the goal of reforming schools*
21 *is funded through at least 4 programs assisted under*
22 *this Act, including the programs assisted under chap-*
23 *ter 2 of title I of the Elementary and Secondary Edu-*
24 *cation Act of 1965 (block grants), the Fund for the*
25 *Improvement and Reform of Schools and Teaching,*

1 *the Secretary's Fund for Innovation in Education,*
2 *and a new program established under the Goals 2000:*
3 *Educate America Act, which has not yet become law;*

4 *(4) the overhead at the Department of Education*
5 *to administer each separate program, and the cost to*
6 *States, localities and schools of preparing applica-*
7 *tions, planning ahead, and managing funds under*
8 *each program diverts scarce resources from schools*
9 *and students;*

10 *(5) some Federal programs serve purposes which*
11 *would be better served by consolidation into a single*
12 *flexible grant, a few serve purposes that could be met*
13 *without Federal assistance, and some programs are*
14 *obsolete;*

15 *(6) in the Department of Education's internal*
16 *study for the National Performance Review, the De-*
17 *partment indicated that the Department had identi-*
18 *fied 41 programs that could be eliminated or consoli-*
19 *dated into other programs;*

20 *(7) this Act takes a significant step toward con-*
21 *solidation by eliminating funding for 13 programs,*
22 *and the Department of Education has begun a serious*
23 *effort to consolidate programs, as is appropriate, in*
24 *the reauthorization of the Elementary and Secondary*

1 *Education Act of 1965, but much more remains to be*
2 *done; and*

3 *(8) the Defense Base Closure and Realignment*
4 *Commission offers a successful model for cutting gov-*
5 *ernment spending despite powerful interests within*
6 *and outside of the Congress dedicated to protecting*
7 *specific projects or programs.*

8 *(b) It is the sense of the Congress that—*

9 *(1) within 6 months of the date of enactment of*
10 *this Act, the Department of Education should prepare*
11 *and submit to the Committee on Labor and Human*
12 *Resources of the Senate and the Committee on Edu-*
13 *cation and Labor of the House of Representatives a*
14 *legislative package reflecting the President's National*
15 *Performance Review plan to consolidate Federal edu-*
16 *cation programs;*

17 *(2) the Committee on Labor and Human Re-*
18 *sources of the Senate and the Committee on Edu-*
19 *cation and Labor of the House of Representatives*
20 *should consider the package submitted by the Depart-*
21 *ment of Education and should report to the Senate*
22 *and House of Representatives, respectively, bills pro-*
23 *posing to consolidate Federal education programs;*

24 *(3) the leadership of each House of the Congress*
25 *should establish—*

1 (A) a process for considering a bill de-
 2 scribed in paragraph (2) under which such bill
 3 would be subject to a single vote of approval or
 4 disapproval by such House; or

5 (B) a comparable process to minimize the
 6 possibility that individual programs will be ex-
 7 cepted from the consolidation; and

8 (4) the objective of the consolidation should be,
 9 first, to find savings by reducing the administrative
 10 costs to both the Department of Education and to
 11 States and localities that are due to redundant pro-
 12 grams, and, second, to maximize the impact of Fed-
 13 eral education dollars, but not to reduce our Nation's
 14 overall investment in schools and students.

15 This title may be cited as the "Department of Edu-
 16 cation Appropriations Act, 1994".

17 TITLE IV—RELATED AGENCIES

18 ACTION

19 OPERATING EXPENSES

20 For expenses necessary for Action to carry out the
 21 provisions of the Domestic Volunteer Service Act of 1973,
 22 as amended, ~~(128)\$201,526,000: Provided, That~~
 23 \$34,667,000 shall be available for title I, section 102, and
 24 \$982,000 shall be available for title I, part C
 25 \$206,287,000: Provided, That notwithstanding any other

1 *provision of this Act, including the provisos pertaining to*
2 *consulting services under the heading Community Services*
3 *Block Grant, no department, agency, or instrumentality of*
4 *the United States Government receiving appropriated funds*
5 *under this Act for fiscal year 1994 shall, during fiscal year*
6 *1994, obligate and expend funds for consulting services in*
7 *excess of an amount equal to 94.975 percent of the amount*
8 *estimated to be obligated and expended by such department,*
9 *agency, or instrumentality for such services during fiscal*
10 *year 1994: Provided further, That notwithstanding any*
11 *other provision of this Act, the aggregate amount of funds*
12 *appopriated by this Act to any such department, agency,*
13 *or instrumentality for fiscal year 1994 is reduced by an*
14 *amount equal to 5.025 percent of the amount to be expended*
15 *by such department, agency, or instrumentality during fis-*
16 *cal year 1994 for consulting services. As used in the preced-*
17 *ing two provisos, the term “consulting services” includes*
18 *any service within the definition of sub-object class 25.1 as*
19 *described in the Office of Management and Budget Circular*
20 *A-11, dated August 4, 1993.*

21 CORPORATION FOR PUBLIC BROADCASTING

22 For payment to the Corporation for Public Broad-
23 casting, as authorized by the Communications Act of
24 1934, an amount which shall be available within limita-
25 tions specified by that Act, for the fiscal year 1996,

1 ~~129~~ ~~\$292,640,000~~ *\$320,000,000. Provided, That no*
2 funds made available to the Corporation for Public Broad-
3 casting by this Act shall be used to pay for receptions,
4 parties, or similar forms of entertainment for Government
5 officials or employees: *Provided further, That none of the*
6 funds contained in this paragraph shall be available or
7 used to aid or support any program or activity from which
8 any person is excluded, or is denied benefits, or is discrimi-
9 nated against, on the basis of race, color, national origin,
10 religion, or sex.

11 FEDERAL MEDIATION AND CONCILIATION SERVICE

12 SALARIES AND EXPENSES

13 For expenses necessary for the Federal Mediation
14 and Conciliation Service to carry out the functions vested
15 in it by the Labor-Management Relations Act, 1947 (29
16 U.S.C. 171–180, 182–183), including hire of passenger
17 motor vehicles; and for expenses necessary for the Labor-
18 Management Cooperation Act of 1978 (29 U.S.C. 175a);
19 and for expenses necessary for the Service to carry out
20 the functions vested in it by the Civil Service Reform Act,
21 Public Law 95–454 (5 U.S.C. chapter 71), \$30,241,000.

4 For expenses necessary for the Federal Mine Safety
5 and Health Review Commission (30 U.S.C. 801 et seq.),
6 \$5,842,000.

7 NATIONAL COMMISSION ON LIBRARIES AND
8 INFORMATION SCIENCE
9 SALARIES AND EXPENSES

10 For necessary expenses for the National Commission
11 on Libraries and Information Science, established by the
12 Act of July 20, 1970 (Public Law 91-345, as amended
13 by Public Law 102-95), \$904,000.

14	NATIONAL COUNCIL ON DISABILITY
15	SALARIES AND EXPENSES

16 For expenses necessary for the National Council on
17 Disability as authorized by title IV of the Rehabilitation
18 Act of 1973, as amended, ~~(130)~~ ~~\$1,590,000~~ *\$1,791,000*.

19 NATIONAL LABOR RELATIONS BOARD
20 SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141–167), and other laws, \$171,274,000: *Provided*, That no part of this appropriation shall be available

1 to organize or assist in organizing agricultural laborers or
 2 used in connection with investigations, hearings, direc-
 3 tives, or orders concerning bargaining units composed of
 4 agricultural laborers as referred to in section 2(3) of the
 5 Act of July 5, 1935 (29 U.S.C. 152), and as amended
 6 by the Labor-Management Relations Act, 1947, as amend-
 7 ed, and as defined in section 3(f) of the Act of June 25,
 8 1938 (29 U.S.C. 203), and including in said definition em-
 9 ployees engaged in the maintenance and operation of
 10 ditches, canals, reservoirs, and waterways when main-
 11 tained or operated on a mutual, nonprofit basis and at
 12 least 95 per centum of the water stored or supplied there-
 13 by is used for farming purposes.

14 NATIONAL MEDIATION BOARD

15 SALARIES AND EXPENSES

16 For expenses necessary to carry out the provisions
 17 of the Railway Labor Act, as amended (45 U.S.C. 151–
 18 188), including emergency boards appointed by the Presi-
 19 dent, ~~(\$131)\$8,506,000~~ *\$8,807,000*.

20 OCCUPATIONAL SAFETY AND HEALTH REVIEW

21 COMMISSION

22 SALARIES AND EXPENSES

23 For the expenses necessary for the Occupational
 24 Safety and Health Review Commission (29 U.S.C. 661),
 25 \$7,362,000.

1 PHYSICIAN PAYMENT REVIEW COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out section 1845(a)
4 of the Social Security Act, \$4,171,000, to be transferred
5 to this appropriation from the Federal Supplementary
6 Medical Insurance Trust Fund.

7 PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary to carry out section 1886(e)
10 of the Social Security Act, \$4,500,000, to be transferred
11 to this appropriation from the Federal Hospital Insurance
12 and the Federal Supplementary Medical Insurance Trust
13 Funds.

14 RAILROAD RETIREMENT BOARD

15 DUAL BENEFITS PAYMENTS ACCOUNT

16 For payment to the Dual Benefits Payments Ac-
17 count, authorized under section 15(d) of the Railroad Re-
18 tirement Act of 1974, \$277,000,000, which shall include
19 amounts becoming available in fiscal year 1994 pursuant
20 to section 224(c)(1)(B) of Public Law 98-76; and in addi-
21 tion, an amount, not to exceed 2 percent of the amount
22 provided herein, shall be available proportional to the
23 amount by which the product of recipients and the average
24 benefit received exceeds \$277,000,000: *Provided*, That the
25 total amount provided herein shall be credited in 12 ap-

1 proximately equal amounts on the first day of each month
2 in the fiscal year.

3 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

4 ACCOUNTS

5 For payment to the accounts established in the
6 Treasury for the payment of benefits under the Railroad
7 Retirement Act for interest earned on unnegotiated
8 checks, \$300,000, to remain available through September
9 30, 1995, which shall be the maximum amount available
10 for payment pursuant to section 417 of Public Law 98–
11 76.

12 LIMITATION ON ADMINISTRATION

13 For necessary expenses for the Railroad Retirement
14 Board, \$73,791,000, to be derived from the railroad re-
15 tirement accounts: *Provided*, That \$200,000 of the fore-
16 going amount shall be available only to the extent nec-
17 essary to process workloads not anticipated in the budget
18 estimates and after maximum absorption of the costs of
19 such workloads within the remainder of the existing limi-
20 tation has been achieved: *Provided further*, That notwith-
21 standing any other provision of law, no portion of this limi-
22 tation shall be available for payments of standard level
23 user charges pursuant to section 210(j) of the Federal
24 Property and Administrative Services Act of 1949, as
25 amended (40 U.S.C. 490(j); 45 U.S.C. 231–231u).

1 LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE

2 ADMINISTRATION FUND

3 For further expenses necessary for the Railroad Re-
4 irement Board, for administration of the Railroad Unem-
5 ployment Insurance Act, not less than \$17,010,000 shall
6 be apportioned for fiscal year 1994 from moneys credited
7 to the railroad unemployment insurance administration
8 fund.

9 SPECIAL MANAGEMENT IMPROVEMENT FUND

10 To effect management improvements, including the
11 reduction of backlogs, accuracy of taxation accounting,
12 and debt collection, \$3,300,000, to be derived from the
13 railroad retirement accounts and railroad unemployment
14 insurance account: *Provided*, That these funds shall sup-
15 plement, not supplant, existing resources devoted to such
16 operations and improvements.

17 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

18 For expenses necessary for the Office of Inspector
19 General for audit, investigatory and review activities, as
20 authorized by the Inspector General Act of 1978, as
21 amended, not more than \$6,742,000, to be derived from
22 the railroad retirement accounts and railroad unemploy-
23 ment insurance account.

1 SOLDIERS' AND AIRMEN'S HOME

2 OPERATION AND MAINTENANCE

3 For operation and maintenance of the United States
4 Soldiers' and Airmen's Home, to be paid from funds avail-
5 able to the Soldiers' Home in the Armed Forces Retire-
6 ment Home Trust Fund, \$43,139,000: *Provided*, That
7 this appropriation shall not be available for the payment
8 of hospitalization of members of the Home in United
9 States Army hospitals at rates in excess of those pre-
10 scribed by the Secretary of the Army upon recommenda-
11 tion of the Board of Commissioners and the Surgeon
12 General of the Army.

13 CAPITAL OUTLAY

14 For construction and renovation of the physical plant,
15 to be paid from funds available to the Soldier's Home in
16 the Armed Forces Retirement Home Trust Fund,
17 \$4,930,000, to remain available until expended.

18 UNITED STATES INSTITUTE OF PEACE

19 OPERATING EXPENSES

20 For necessary expenses of the United States Institute
21 of Peace as authorized in the United States Institute of
22 Peace Act, \$10,912,000.

23 UNITED STATES NAVAL HOME

24 OPERATION AND MAINTENANCE

25 For operation and maintenance of the United States
26 Naval Home, to be paid from funds available to the Naval

1 Home in the Armed Forces Retirement Home Trust
2 Fund, \$10,775,000.

3 CAPITAL PROGRAM

4 For construction and renovation of the physical plant
5 to be paid from funds available to the Naval Home in the
6 Armed Forces Retirement Home Trust Fund, \$473,000,
7 to remain available until expended.

8 TITLE V—GENERAL PROVISIONS

9 SEC. 501. No part of the funds appropriated under
10 this Act shall be used to provide a loan, guarantee of a
11 loan, a grant, the salary of or any remuneration whatever
12 to any individual applying for admission, attending, em-
13 ployed by, teaching at, or doing research at an institution
14 of higher education who has engaged in conduct on or
15 after August 1, 1969, which involves the use of (or the
16 assistance to others in the use of) force or the threat of
17 force or the seizure of property under the control of an
18 institution of higher education, to require or prevent the
19 availability of certain curricula, or to prevent the faculty,
20 administrative officials, or students in such institution
21 from engaging in their duties or pursuing their studies
22 at such institution.

23 SEC. 502. The Secretaries of Labor, Health and
24 Human Services, and Education are authorized to transfer
25 unexpended balances of prior appropriations to accounts
26 corresponding to current appropriations provided in this

1 Act: *Provided*, That such transferred balances are used for
2 the same purpose, and for the same periods of time, for
3 which they were originally appropriated.

4 SEC. 503. No part of any appropriation contained in
5 this Act shall remain available for obligation beyond the
6 current fiscal year unless expressly so provided herein.

7 SEC. 504. (a) No part of any appropriation contained
8 in this Act shall be used, other than for normal and recog-
9 nized executive-legislative relationships, for publicity or
10 propaganda purposes, for the preparation, distribution, or
11 use of any kit, pamphlet, booklet, publication, radio, tele-
12 vision, or film presentation designed to support or defeat
13 legislation pending before the Congress, except in presen-
14 tation to the Congress itself.

15 (b) No part of any appropriation contained in this
16 Act shall be used to pay the salary or expenses of any
17 grant or contract recipient, or agent acting for such recipi-
18 ent, related to any activity designed to influence legislation
19 or appropriations pending before the Congress.

20 SEC. 505. The Secretaries of Labor and Education
21 are each authorized to make available not to exceed
22 \$7,500 from funds available for salaries and expenses
23 under titles I and III, respectively, for official reception
24 and representation expenses; the Director of the Federal
25 Mediation and Conciliation Service is authorized to make

1 available for official reception and representation expenses
 2 not to exceed \$2,500 from the funds available for “Sala-
 3 ries and expenses, Federal Mediation and Conciliation
 4 Service”; and the Chairman of the National Mediation
 5 Board is authorized to make available for official reception
 6 and representation expenses not to exceed \$2,500 from
 7 funds available for “Salaries and expenses, National Medi-
 8 ation Board”.

9 SEC. 506. Notwithstanding any other provision of
 10 this Act, no funds appropriated under this Act shall be
 11 used to carry out any program of distributing sterile nee-
 12 dles for the hypodermic injection of any illegal drug unless
 13 the Surgeon General of the United States determines that
 14 such programs are effective in preventing the spread of
 15 HIV and do not encourage the use of illegal drugs, except
 16 that such funds may be used for such purposes in further-
 17 ance of demonstrations or studies authorized in the
 18 ADAMHA Reorganization Act (Public Law 102-321).

19 **(132)**COMPLIANCE WITH BUY AMERICAN ACT

20 SEC. 507. No funds appropriated pursuant to this
 21 Act may be expended by an entity unless the entity agrees
 22 that in expending the assistance the entity will comply
 23 with sections 2 through 4 of the Act of March 3, 1933
 24 (41 U.S.C. 10a-10c, popularly known as the “Buy Amer-
 25 ican Act”).

1 SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

2 SEC. 508. (a) PURCHASE OF AMERICAN-MADE
3 EQUIPMENT AND PRODUCTS.—In the case of any equip-
4 ment or products that may be authorized to be purchased
5 with financial assistance provided under this Act, it is the
6 sense of the Congress that entities receiving such assist-
7 ance should, in expending the assistance, purchase only
8 American-made equipment and products.

9 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
10 providing financial assistance under this Act, the head of
11 each Federal agency shall provide to each recipient of the
12 assistance a notice describing the statement made in sub-
13 section (a) by the Congress.

14 PROHIBITION OF CONTRACTS

15 SEC. 509. If it has been finally determined by a court
16 or Federal agency that any person intentionally affixed a
17 label bearing a “Made in America” inscription, or any in-
18 scription with the same meaning, to any product sold in
19 or shipped to the United States that is not made in the
20 United States, such person shall be ineligible to receive
21 any contract or subcontract made with funds provided
22 pursuant to this Act, pursuant to the debarment, suspen-
23 sion, and ineligibility procedures described in section
24 9.400 through 9.409 of title 48, Code of Federal Regula-
25 tions.

1 **(133)***SEC. 509. (a) Notwithstanding any other provi-*
2 *sion of law, monthly benefit payments under part B or part*
3 *C of the Black Lung Benefits Act for months after December*
4 *1993 and before October 1994 shall be calculated as though*
5 *the provisions of Federal law prescribing pay rates for Fed-*
6 *eral employees continued in effect, without amendment to*
7 *or limitation of such provisions, after January 1993.*

8 *(b) Of the amounts provided under title XII of Public*
9 *Law 102-368, Additional Assistance to Distressed Commu-*
10 *nities, under the heading "Community Investment Pro-*
11 *gram", \$225,000,000 are rescinded.*

12 **SEC. 510.** None of the funds appropriated under this
13 Act shall be expended for any abortion except when it is
14 made known to the Federal entity or official to which
15 funds are appropriated under this Act that such procedure
16 is necessary to save the life of the mother or that the preg-
17 nancy is the result of an act of rape or incest.

18 **(134)***SEC. 511. It is the sense of the Senate that the*
19 *United States Department of Justice should investigate*
20 *whether any Federal criminal civil rights laws were vio-*
21 *lated as a result of (1) the murder of Yankel Rosenbaum*
22 *on August 19, 1991, and (2) the circumstances surrounding*
23 *the murder and accompanying riots in Crown Heights.*

(135)

TITLE VI—NONSMOKING POLICY**SEC. 601. SHORT TITLE.**

This title may be cited as the “Preventing Our Kids From Inhaling Deadly Smoke (PRO-KIDS) Act of 1993”.

SEC. 602. FINDINGS.

The Congress finds that—

(1) environmental tobacco smoke comes from secondhand smoke exhaled by smokers and sidestream smoke emitted from the burning of cigarettes, cigars, and pipes;

(2) since citizens of the United States spend up to 90 percent of a day indoors, there is a significant potential for exposure to environmental tobacco smoke from indoor air;

(3) exposure to environmental tobacco smoke occurs in schools, public buildings, and other indoor facilities;

(4) recent scientific studies have concluded that exposure to environmental tobacco smoke is a cause of lung cancer in healthy nonsmokers and is responsible for acute and chronic respiratory problems and other health impacts in sensitive populations (including children);

1 (5) *the health risks posed by environmental to-*
2 *bacco smoke exceed the risks posed by many environ-*
3 *mental pollutants regulated by the Environmental*
4 *Protection Agency; and*

5 (6) *according to information released by the En-*
6 *vironmental Protection Agency, environmental to-*
7 *bacco smoke results in a loss to the economy of over*
8 *\$3,000,000,000 per year.*

9 **SEC. 603. DEFINITIONS.**

10 *As used in this title:*

11 (1) *ADMINISTRATOR.*—*The term “Adminis-*
12 *trator” means the Administrator of the Environ-*
13 *mental Protection Agency.*

14 (2) *CHILDREN.*—*The term “children” means in-*
15 *dividuals who have not attained the age of 18.*

16 (3) *CHILDREN’S SERVICES.*—*The term “chil-*
17 *dren’s services” means—*

18 (A) *direct health services that are routinely*
19 *provided to children and that are funded (in*
20 *whole or in part) by Federal funds; or*

21 (B) *any other direct services that are rou-*
22 *tinely provided primarily to children, including*
23 *educational services and that are funded (in*
24 *whole or in part) by Federal funds.*

1 (4) *FEDERAL AGENCY*.—The term “Federal agen-
 2 cy” means an entity in the executive, legislative or ju-
 3 dicial branch of the Federal Government.

4 (5) *SECRETARY*.—The term “Secretary” means
 5 the Secretary of Health and Human Services.

6 **SEC. 604. NONSMOKING POLICY FOR CHILDREN'S SERV-**
 7 **ICES.**

8 (a) *ISSUANCE OF GUIDELINES*.—Not later than 180
 9 days after the date of enactment of this Act, the Adminis-
 10 trator shall issue guidelines for instituting and enforcing
 11 a nonsmoking policy at each indoor facility where chil-
 12 dren's services are provided.

13 (b) *CONTENTS OF GUIDELINES*.—A nonsmoking policy
 14 that meets the requirements of the guidelines shall, at a
 15 minimum, prohibit smoking in each portion of an indoor
 16 facility where children's services are provided that is not
 17 ventilated separately (as defined by the Administrator)
 18 from other portions of the facility.

19 **SEC. 605. TECHNICAL ASSISTANCE.**

20 The Administrator and the Secretary shall provide
 21 technical assistance to persons who provide children's serv-
 22 ices and other persons who request technical assistance. The
 23 technical assistance shall include information—

24 (1) on smoking cessation programs for employ-
 25 ees; and

1 (2) *to assist in compliance with the requirements*
2 *of this title.*

3 **SEC. 606. FEDERALLY FUNDED PROGRAMS.**

4 (a) *IN GENERAL.*—Notwithstanding any other provi-
5 *sion of law, each person who provides children’s services*
6 *shall establish and make a good-faith effort to enforce a non-*
7 *smoking policy that meets or exceeds the requirements of*
8 *subsection (b).*

9 (b) *NONSMOKING POLICY.*—

10 (1) *GENERAL REQUIREMENTS.*—A nonsmoking
11 *policy meets the requirements of this subsection if the*
12 *policy—*

13 (A) *is consistent with the guidelines issued*
14 *under section 604(a);*

15 (B) *prohibits smoking in each portion of an*
16 *indoor facility used in connection with the pro-*
17 *vision of services directly to children; and*

18 (C) *where appropriate, requires that signs*
19 *stating that smoking is not permitted be posted*
20 *in each indoor facility to communicate the*
21 *policy.*

22 (2) *PERMISSIBLE FEATURES.*—A nonsmoking
23 *policy that meets the requirements of this subsection*
24 *may allow smoking in those portions of the facility—*

1 (A) *in which services are not normally pro-*
2 *vided directly to children; and*

3 (B) *that are ventilated separately from*
4 *those portions of the facility in which services*
5 *are normally provided directly to children.*

6 (c) *WAIVER.—*

7 (1) *IN GENERAL.—A person described in sub-*
8 *section (a) may publicly petition the head of the Fed-*
9 *eral agency from which the person receives Federal*
10 *funds (including financial assistance) for a waiver*
11 *from any or all of the requirements of subsection (b).*

12 (2) *CONDITIONS FOR GRANTING A WAIVER.—Ex-*
13 *cept as provided in paragraph (3), the head of the*
14 *Federal agency may grant a waiver only—*

15 (A) *after consulting with the Administrator,*
16 *and receiving the concurrence of the*
17 *Administrator;*

18 (B) *after giving an opportunity for public*
19 *hearing (at the main office of the Federal agency*
20 *or at any regional office of the agency) and com-*
21 *ment; and*

22 (C) *if the person requesting the waiver pro-*
23 *vides assurances that are satisfactory to the head*
24 *of the Federal agency (with the concurrence of*
25 *the Administrator) that—*

1 (i) *unusual extenuating circumstances*
2 *prevent the person from establishing or en-*
3 *forcing the nonsmoking policy (or a require-*
4 *ment under the policy) referred to in sub-*
5 *section (b) (including a case in which the*
6 *person shares space in an indoor facility*
7 *with another entity and cannot obtain an*
8 *agreement with the other entity to abide by*
9 *the nonsmoking policy requirement) and the*
10 *person will establish and make a good-faith*
11 *effort to enforce an alternative nonsmoking*
12 *policy (or alternative requirement under the*
13 *policy) that will protect children from expo-*
14 *sure to environmental tobacco smoke to the*
15 *maximum extent possible; or*

16 (ii) *the person requesting the waiver*
17 *will establish and make a good-faith effort*
18 *to enforce an alternative nonsmoking policy*
19 *(or alternative requirement under the pol-*
20 *icy) that will protect children from exposure*
21 *to environmental tobacco smoke to the same*
22 *degree as the policy (or requirement) under*
23 *subsection (b).*

24 (3) *SPECIAL WAIVER.*—

1 (A) *IN GENERAL.*—On receipt of an appli-
2 cation, the head of the Federal agency may grant
3 a special waiver to a person described in sub-
4 section (a) who employs individuals who are
5 members of a labor organization and provide
6 children’s services pursuant to a collective bar-
7 gaining agreement that—

8 (i) took effect before the date of enact-
9 ment of this Act; and

10 (ii) includes provisions relating to
11 smoking privileges that are in violation of
12 the requirements of this section.

13 (B) *TERMINATION OF WAIVER.*—A special
14 waiver granted under this paragraph shall ter-
15 minate on the earlier of—

16 (i) the first expiration date (after the
17 date of enactment of this Act) of the collec-
18 tive bargaining agreement containing the
19 provisions relating to smoking privileges; or

20 (ii) the date that is 1 year after the
21 date specified in subsection (f).

22 (d) *CIVIL PENALTIES.*—

23 (1) *IN GENERAL.*—(A) Any person subject to the
24 requirements of this section who fails to comply with
25 the requirements shall be liable to the United States

1 *for a civil penalty in an amount not to exceed \$1,000*
2 *for each violation, but in no case shall the amount be*
3 *in excess of the amount of Federal funds received by*
4 *the person for the fiscal year in which the violation*
5 *occurred for the provision of children's services.*

6 *(B) Each day a violation continues shall con-*
7 *stitute a separate violation.*

8 *(2) ASSESSMENT.—A civil penalty for a viola-*
9 *tion of this section shall be assessed by the head of the*
10 *Federal agency that provided Federal funds (includ-*
11 *ing financial assistance) to the person (or if the head*
12 *of the Federal agency does not have the authority to*
13 *issue an order, the appropriate official) by an order*
14 *made on the record after opportunity for a hearing in*
15 *accordance with section 554 of title 5, United States*
16 *Code. Before issuing the order, the head of the Federal*
17 *agency (or the appropriate official) shall—*

18 *(A) give written notice to the person to be*
19 *assessed a civil penalty under the order of the*
20 *proposal to issue the order; and*

21 *(B) provide the person an opportunity to*
22 *request, not later than 15 days after the date of*
23 *receipt of the notice, a hearing on the order.*

24 *(3) AMOUNT OF CIVIL PENALTY.—In determining*
25 *the amount of a civil penalty under this subsection,*

1 *the head of the Federal agency (or the appropriate of-*
2 *ficial) shall take into account—*

3 *(A) the nature, circumstances, extent, and*
4 *gravity of the violation;*

5 *(B) with respect to the violator, the ability*
6 *to pay, the effect of the penalty on the ability to*
7 *continue operation, any prior history of the*
8 *same kind of violation, the degree of culpability,*
9 *and a demonstration of willingness to comply*
10 *with the requirements of this title; and*

11 *(C) such other matters as justice may*
12 *require.*

13 (4) *MODIFICATION.—The head of the Federal*
14 *agency (or the appropriate official) may compromise,*
15 *modify, or remit, with or without conditions, any*
16 *civil penalty that may be imposed under this sub-*
17 *section. The amount of the penalty as finally deter-*
18 *mined or agreed upon in compromise may be de-*
19 *ducted from any sums that the United States owes to*
20 *the person against whom the penalty is assessed.*

21 (5) *PETITION FOR REVIEW.—A person who has*
22 *requested a hearing concerning the assessment of a*
23 *penalty pursuant to paragraph (2) and is aggrieved*
24 *by an order assessing a civil penalty may file a peti-*
25 *tion for judicial review of the order with the United*

1 *States Court of Appeals for the District of Columbia*
2 *Circuit or for any other circuit in which the person*
3 *resides or transacts business. The petition may only*
4 *be filed during the 30-day period beginning on the*
5 *date of issuance of the order making the assessment.*

6 (6) *FAILURE TO PAY.—If a person fails to pay*
7 *an assessment of a civil penalty—*

8 (A) *after the order making the assessment*
9 *has become a final order and without filing a pe-*
10 *tition for judicial review in accordance with*
11 *paragraph (5); or*

12 (B) *after a court has entered a final judg-*
13 *ment in favor of the head of the Federal agency*
14 *(or appropriate official),*

15 *the Attorney General shall recover the amount as-*
16 *essed (plus interest at currently prevailing rates*
17 *from the last day of the 30-day period referred to in*
18 *paragraph (5) or the date of the final judgment, as*
19 *the case may be) in an action brought in an appro-*
20 *priate district court of the United States. In the ac-*
21 *tion, the validity, amount, and appropriateness of the*
22 *penalty shall not be subject to review.*

23 (e) *EXEMPTION.—This section shall not apply to a*
24 *person who provides children's services who—*

25 (1) *has attained the age of 18;*

1 (2) *provides children’s services—*

2 (A) *in a private residence; and*

3 (B) *only to children who are, by affinity or*
4 *consanguinity, or by court decree, a grandchild,*
5 *niece, or nephew of the provider; and*

6 (3) *is registered and complies with any State re-*
7 *quirements that govern the children’s services pro-*
8 *vided.*

9 (f) *EFFECTIVE DATE.—This section shall take effect on*
10 *the first day of the first fiscal year beginning after the date*
11 *of enactment of this Act.*

12 **SEC. 607. REPORT BY THE ADMINISTRATOR.**

13 *Not later than 2 years after the date of enactment of*
14 *this Act, the Administrator shall submit a report to the*
15 *Congress that includes—*

16 (1) *information concerning the degree of compli-*
17 *ance with this title; and*

18 (2) *an assessment of the legal status of smoking*
19 *in public places.*

20 **SEC. 608. PREEMPTION.**

21 *Nothing in this title is intended to preempt any provi-*
22 *sion of law of a State or political subdivision of a State*
23 *that is more restrictive than a provision of this title.*

1 This Act may be cited as the “Departments of Labor,
2 Health and Human Services, and Education, and Related
3 Agencies Appropriations Act, 1994”.

Passed the House of Representatives June 30, 1993.

Attest: DONNALD K. ANDERSON,
Clerk.

Passed the Senate September 29 (legislative day,
September 27), 1993.

Attest: WALTER J. STEWART,
Secretary.

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